State's proposals, it seems that if the legislation goes through as it stands, the new Policing Board could actually have less power then the current Police Authority—a situation we find ludicrous and totally unacceptable.''

''Police planning and financial control are two key areas where it seems the new Board will have a reduced role, while the Secretary of State enjoys greater influence.

''And where the Board was supposed to get new powers, it seems rigid restrictions have been imposed. On the power to initiate enquiries for example, it is difficult to see how the Board could ever satisfy all the conditions required by the Secretary of State.''

''This is not the first time that Government has attempted to control policing in Northern Ireland. In our original submission to the Patten Commission we catalogued consistent attempts by the Government over the years to suppress the powers of the Police Authority.

''Successive Authorities have resisted such attempts by Government to directly influence policing and we will continue to do so in guarding against any weakening of the powers envisaged by Patten for the new Policing Board. The Patten report itself stated, 'we do not believe the Secretary of State . . . should ever appear to have the power to direct the police.'—this obviously signalled a clear intention on the Commission's part to curtail the powers of Government—not enhance them as the proposed legislation seems set to do.''

Mr. Armstrong however said the Authority supported much of the legislation including the apparent safeguards put in place to prevent District Policing Partnerships raising money for 'freelance' police services. He added that more time would be needed to examine all the issues in detail.

The Authority will shortly publish an in-depth analysis of the Government's proposed Patten legislation and implementation plan.●

AMENDMENTS SUBMITTED

DEPARTMENT OF LABOR APPROPRIATIONS ACT, 2001

COLLINS (AND REED) AMENDMENT NO. 3700

Mr. SPECTER (for Ms. COLLINS (for herself and Mr. REED)) proposed an amendment to the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes; as follows:

On page 34, on line 13, before the colon, insert the following: '', of which $10,000,000 shall be used to provide grants to local nonprofit private and public entities to enable such entities to develop and expand activities to provide substance abuse services to homeless individuals''.

KERREY (AND OTHERS) AMENDMENT NO. 3701

Mr. HARKIN (for Mr. KERREY (for himself, Mr. BINGAMAN and Mr. ENZI)) proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 68, line 2, before the colon, insert the following: '', of which $250,000 shall be for the Web-Based Education Commission''.

COLLINS (AND OTHERS) AMENDMENT NO. 3702

Mr. SPECTER (for Ms. COLLINS (for herself, Mr. FEINGOLD, Mr. JEFFORDS, Mr. BIDEN, Mrs. MURRAY, Mr. ENZI, Mr. WELLSTONE, Mr. BINGAMAN, Mr. ROBB, Mr. KERRY, Mr. ABRAHAM, and Mr. REED)) proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 24, line 1, strike ''and''.

On page 24 line 7, insert before the colon the following; '', and of which $4,000,000 shall be provided to the Rural Health Outreach Office of the Health Resources and Services Administration for the awarding of grants to community partnerships in rural areas for the purchase of automated external defibrillators and the training of individuals in basic cardiac life support''.

JEFFORDS AMENDMENT NO. 3703

Mr. SPECTER (for Mr. JEFFORDS) proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 43, line 9, before the colon, insert the follow: '', of which 5,000,000 shall be available for activities regarding medication management, screening, and education to prevent incorrect medication and adverse drug reactions''.

SPECTER AMENDMENT NO. 3704

Mr. SPECTER proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 50, line 20, after the dash insert the following: ''Except as provided by subsection (e)''.

On page 51, line 1 strike ''December 15, 2000'' and insert in lieu thereof: ''March 1, 2001''.

On page 52, line 2, strike ''2000'' and insert in lieu thereof ''2001''.

On page 52, after line 2, insert the following new section

''(e) TERRITORIES.—None of the funds appropriated by this Act may be used to withhold substance abuse funding pursuant to section 1926 from a territory that receives less than $1,000,000.''

GRAHAM AMENDMENT NO. 3705

(Ordered to lie on the table.)

Mr. HARKIN (for Mr. GRAHAM) proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 54, between lines 10 and 11, insert the following:

SEC. . (a) STUDY.—The Secretary of Health and Human Services shall conduct a study to examine—

(1) the experiences of hospitals in the United States in obtaining reimbursement from foreign health insurance companies whose enrollees receive medical treatment in the United States;

(2) the identity of the foreign health insurance companies that do not cooperate with or reimburse (in whole or in part) United States health care providers for medical services rendered in the United States to enrollees who are foreign nationals;

(3) the amount of unreimbursed services that hospitals in the United States provide to foreign nationals described in paragraph (2); and

(4) solutions to the problems identified in the study.

(b) REPORT.—Not later than March 31, 2001, the Secretary of Health and Human Services shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Appropriations, a report concerning the results of the study conducted under subsection (a), including the recommendations described in paragraph (4) of such subsection.

BINGAMAN (AND OTHERS) AMENDMENT NO. 3706

(Ordered to lie on the table.)

Mr. HARKIN (for Mr. BINGAMAN (for himself, Mr. REID, Ms. COLLINS, and Mr. DEWINE)) proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 59, line 12, before the period insert the following: '': *Provided further*, That of the amount made available under this heading for activities carried out through the Fund for the Improvement of Education under part A of title X, $10,000,000 shall be made available to enable the Secretary of Education to award grants to develop and implement school dropout prevention programs''.

REID AMENDMENT NO. 3707

(Ordered to lie on the table.)

Mr. HARKIN (for Mr. REID) proposed an amendment to the bill, H.R. 4577, supra; as follows:

At the appropriate place, insert the following:

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

SEC. . Section 448 of the Public Health Service Act (42 U.S.C. 285g) is amended by inserting ''gynecologic health,'' after ''with respect to''.

DURBIN (AND OTHERS) AMENDMENT NO. 3708

(Ordered to lie on the table.)

Mr. HARKIN (for Mr. DURBIN (for himself, Mr. DEWINE, Mr. BINGAMAN, Mr. SCHUMER, Mr. KERRY, Mr. FITZGERALD, and Mr. ABRAHAM)) proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 26, line 25, before ''of which'' insert the following: ''of which $20,000,000 shall be made available to carry out children's asthma programs and $4,000,000 of such $20,000,000 shall be utilized to carry out improved asthma surveillance and tracking systems and the remainder shall be used to carry out diverse community-based childhood asthma programs including both school- and community-based grant programs, except that not to exceed 5 percent of such funds may be used by the Centers for Disease Control and Prevention for administrative costs or reprogramming, and''.

DURBIN (AND OTHERS) AMENDMENT NO. 3709

(Ordered to lie on the table.)

Mr. HARKIN (for Mr. DURBIN (for himself, Mr. REED, Mrs. MURRAY, Mr. KERRY, Mrs. HUTCHISON, and Mrs. FEINSTEIN)) proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 54, between lines 10 and 11, insert the following:

SEC. _____. In addition to amounts otherwise appropriated under this title for the Centers for Disease Control and Prevention, $37,500,000, to be utilized to provide grants to States and political subdivisions of States under section 317 of the Public Health Service Act to enable such States and political

subdivisions to carry out immunization infrastructure and operations activities: *Provided*, That of the total amount made available in this Act for infrastructure funding for the Centers for Disease Control and Prevention, not less than 10 percent shall be used for immunization projects in areas with low or declining immunization rates or areas that are particularly susceptible to disease outbreaks, and not more than 14 percent shall be used to carry out the incentive bonus program: *Provided*, That amounts made available under this Act for the administrative and related expenses of the Department of Health and Human Services, the Department of Labor, and the Department of Education shall be further reduced on a pro rata basis by $37,500,000.

SMITH OF NEW HAMPSHIRE (AND OTHERS) AMENDMENT NO. 3710

Mr. SPECTER (for Mr. SMITH of New Hampshire (for himself, Ms. LANDRIEU, and Mr. DURBIN)) proposed an amendment to the bill H.R. 4577, supra; as follows:

At the appropriate place, add the following: ''None of the funds appropriated under this Act shall be expended by the National Institutes of Health on a contract for the care of the 288 chimpanzees acquired by the National Institutes of Health from the Coulston Foundation, unless the contractor is accredited by the Association for the Assessment and Accreditation of Laboratory Animal Care International or has a Public Health Services assurance, and has not been charged multiple times with egregious violations of the Animal Welfare Act.''.

DODD AMENDMENT NO. 3711

Mr. HARKIN (for Mr. DODD) proposed an amendment to the bill, H.R. 4577, supra; as follows:

At the end of title III, insert the following:

SEC. ___. TECHNOLOGY AND MEDIA SERVICES.

Notwithstanding any other provision of this Act—

(1) the total amount appropriated under this title under the heading ''OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES'' under the heading ''SPECIAL EDUCATION'' to carry out the Individuals with Disabilities Education Act shall be $7,353,141,000, of which $35,323,000 shall be available for technology and media services; and

(2) the total amount appropriated under this title under the heading ''DEPARTMENTAL MANAGEMENT'' under the heading ''PROGRAM ADMINISTRATION'' shall be further reduced by $800,000.

SPECTER AMENDMENT NO. 3712

Mr. SPECTER proposed an amendment to the bill, H.R. 4577, supra; as follows:

In amendment #3633, as modified, strike ''$78,200,000'' and insert ''$35,000,000'' in lieu thereof.

STEVENS (AND OTHERS) AMENDMENTS NOS. 3713–3714

Mr. SPECTER (for Mr. STEVENS (for himself, Mr. JEFFORDS, and Mr. KENNEDY)) proposed two amendments to the bill, H.R. 4577, supra; as follows:

AMENDMENT NO. 3713

On page 69, line 2, after the colon insert the following proviso: ''*Provided further*, That of the funds appropriated $5,000,000 shall be made available for a high school state grant program to improve academic performance and provide technical skills training, $5,000,000 shall be made available to provide grants to enable elementary and secondary schools to provide physical education and improve physical fitness''.

AMENDMENT NO. 3714

On page 41, at the beginning of line 12 insert the following: ''$5,000,000 shall be made available to provide grants for early childhood learning for young children, of which''.

LEAHY AMENDMENT NO. 3715

Mr. HARKIN (for Mr. LEAHY) proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 45, line 4, insert before the period the following: '': *Provided*, That an additional $2,500,000 shall be made available for the Office for Civil Rights: *Provided further*, That amounts made available under this title for the administrative and related expenses of the Department of Health and Human Services shall be reduced by $2,500,000.

HARKIN AMENDMENT NO. 3716

Mr. HARKIN proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 40, line 5, strike ''$60,000,000'' and insert ''$100,000,000''.

DeWINE (AND OTHERS) AMENDMENT NO. 3717

Mr. SPECTER (for Mr. DEWINE (for himself, Mrs. MURRAY, Mr. GRASSLEY, Mr. DURBIN, Mrs. LINCOLN, Mr. HAGEL, and Mr. DODD)) proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 54, between lines 10 and 11, insert the following:

SEC. ___. (a) In addition to amounts made available under the heading ''Health Resources and Services Administration-Health Resources and Services'' for poison prevention and poison control center activities, there shall be available an additional $20,000,000 to provide assistance for such activities and to stabilize the funding of regional poison control centers as provided for pursuant to the Poison Control Center Enhancement and Awareness Act (Public Law 106-174).

(b) Amounts made available under this Act for the administrative and related expenses of the Department of Health and Human Services, the Department of Labor, and the Department of Education shall be further reduced on a pro rata basis by $20,000,000.

SCHUMER AMENDMENT NO. 3718

Mr. HARKIN (for Mr. SCHUMER) proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 27, line 24, before the period insert the following: '': *Provided further*, That in addition to amounts made available under this heading for the National Program of Cancer Registries, an additional $15,000,000 shall be made available for such Program and special emphasis in carrying out such Program shall be given to States with the highest number of the leading causes of cancer mortality: *Provided further*, That amounts made available under this Act for the administrative and related expenses of the Centers for Disease Control and Prevention shall be reduced by $15,000,000''.

DODD AMENDMENT NO. 3719

Mr. HARKIN (for Mr. DODD) proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 92, between lines 4 and 5, insert the following:

SEC. ___. Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by adding at the end the following:

''PART G—REQUIREMENT RELATING TO THE RIGHTS OF RESIDENTS OF CERTAIN FACILITIES

''SEC. 581. REQUIREMENT RELATING TO THE RIGHTS OF RESIDENTS OF CERTAIN FACILITIES.

''(a) IN GENERAL.—A public or private general hospital, nursing facility, intermediate care facility, residential treatment center, or other health care facility, that receives support in any form from any program supported in whole or in part with funds appropriated to any Federal department or agency shall protect and promote the rights of each resident of the facility, including the right to be free from physical or mental abuse, corporal punishment, and any restraints or involuntary seclusions imposed for purposes of discipline or convenience.

''(b) REQUIREMENTS.—Restraints and seclusion may only be imposed on a resident of a facility described in subsection (a) if—

''(1) the restraints or seclusion are imposed to ensure the physical safety of the resident, a staff member, or others; and

''(2) the restraints or seclusion are imposed only upon the written order of a physician, or other licensed independent practitioner permitted by the State and the facility to order such restraint or seclusion, that specifies the duration and circumstances under which the restraints are to be used (except in emergency circumstances specified by the Secretary until such an order could reasonably be obtained).

''(c) DEFINITIONS.—In this section:

''(1) RESTRAINTS.—The term 'restraints' means—

''(A) any physical restraint that is a mechanical or personal restriction that immobilizes or reduces the ability of an individual to move his or her arms, legs, or head freely, not including devices, such as orthopedically prescribed devices, surgical dressings or bandages, protective helmets, or any other methods that involves the physical holding of a resident for the purpose of conducting routine physical examinations or tests or to protect the resident from falling out of bed or to permit the resident to participate in activities without the risk of physical harm to the resident; and

''(B) a drug or medication that is used as a restraint to control behavior or restrict the resident's freedom of movement that is not a standard treatment for the resident's medical or psychiatric condition.

''(2) SECLUSION.—The term 'seclusion' means any separation of the resident from the general population of the facility that prevents the resident from returning to such population if he or she desires.

''SEC. 582. REPORTING REQUIREMENT.

''(a) IN GENERAL.— Each facility to which the Protection and Advocacy for Mentally Ill Individuals Act of 1986 applies shall notify the appropriate agency, as determined by the Secretary, of each death that occurs at each such facility while a patient is restrained or in seclusion, of each death occurring within 24 hours after the patient has been removed from restraints and seclusion, or where it is reasonable to assume that a patient's death is a result of such seclusion or restraint. A notification under this section shall include the name of the resident and shall be provided not later than 7 days after the date of the death of the individual involved.

''(b) FACILITY.—In this section, the term 'facility' has the meaning given the term 'facilities' in section 102(3) of the Protection and Advocacy for Mentally Ill Individuals Act of 1986 (42 U.S.C. 10802(3)).''.

''SEC. 583. REGULATIONS AND ENFORCEMENT.

''(a) TRAINING.—Not later than 1 year after the date of enactment of this part, the Secretary, after consultation with appropriate State and local protection and advocacy organizations, physicians, facilities, and other health care professionals and patients, shall promulgate regulations that require facilities to which the Protection and Advocacy for Mentally Ill Individuals Act of 1986 (42 U.S.C. 10801 et seq.) applies, to meet the requirements of subsection (b).

''(b) REQUIREMENTS.—The regulations promulgated under subsection (a) shall require that—

''(1) facilities described in subsection (a) ensure that there is an adequate number of qualified professional and supportive staff to evaluate patients, formulate written individualized, comprehensive treatment plans, and to provide active treatment measures;

''(2) appropriate training be provided for the staff of such facilities in the use of restraints and any alternatives to the use of restraints; and

''(3) such facilities provide complete and accurate notification of deaths, as required under section 582(a).

''(c) ENFORCEMENT.—A facility to which this part applies that fails to comply with any requirement of this part, including a failure to provide appropriate training, shall not be eligible for participation in any program supported in whole or in part by funds appropriated to any Federal department or agency.''.

ENZI AMENDMENT NO. 3720

Mr. SPECTER (for Mr. ENZI) proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 13, line 20, strike ''*Provided*'' and insert the following: '': *Provided*, That of the amount appropriated under this heading that is in excess of the amount appropriated for such purposes for fiscal year 2000, at least $22,200,000 shall be used to carry out education, training, and consultation activities as described in subsections (c) and (d) of section 21 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 670(c) and (d)): *Provided further*,''.

TORRICELLI AMENDMENT NO. 3721

Mr. HARKIN (for Mr. TORRICELLI) proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 54, between lines 10 and 11, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING THE DELIVERY OF EMERGENCY MEDICAL SERVICES.

(a) FINDINGS.—The Senate finds the following:

(1) Several States have developed and implemented a unique 2-tiered emergency medical services system that effectively provides services to the residents of those States.

(2) These 2-tiered systems include volunteer and for-profit emergency medical technicians who provide basic life support and hospital-based paramedics who provide advanced life support.

(3) These 2-tiered systems have provided universal access for residents of those States to affordable emergency services, while simultaneously ensuring that those persons in need of the most advanced care receive such care from the proper authorities.

(4) One State's 2-tiered system currently has an estimated 20,000 emergency medical technicians providing ambulance transportation for basic life support and advanced life support emergencies, over 80 percent of which are handled by volunteers who are not reimbursed under the medicare program under title XVIII of the Social Security Act.

(5) The hospital-based paramedics, also known as mobile intensive care units, are reimbursed under the medicare program when they respond to advanced life support emergencies.

(6) These 2-tiered State health systems save the lives of thousands of residents of those States each year, while saving the medicare program, in some instances, as much as $39,000,000 in reimbursement fees.

(7) When Congress requested that the Health Care Financing Administration enact changes to the emergency medical services fee schedule as a result of the Balanced Budget Act of 1997, including a general overhaul of reimbursement rates and administrative costs, it was in the spirit of streamlining the agency, controlling skyrocketing health care costs, and lengthening the solvency of the medicare program.

(8) The Health Care Financing Administration is considering implementing new emergency medical services reimbursement guidelines that may destabilize the 2-tier system that have developed in these States.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Health Care Financing Administration should—

(1) consider the unique nature of 2-tiered emergency medical services delivery systems when implementing new reimbursement guidelines for paramedics and hospitals under the medicare program under title XVIII of the Social Security Act; and

(2) promote innovative emergency medical service systems enacted by States that reduce reimbursement costs to the medicare program while ensuring that all residents receive quick and appropriate emergency care when needed.

WELLSTONE AMENDMENT NO. 3722

Mr. HARKIN (for Mr. WELLSTONE) proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 71, after line 25, add the following:

SEC. ___. (a) In addition to any amounts appropriated under this title for the Perkin's loan cancellation program under section 465 of the Higher Education Act of 1965 (20 U.S.C. 1087ee), an additional $15,000,000 is appropriated to carry out such program.

(b) Notwithstanding any other provision of this Act, amounts made available under titles I and II, and this title, for salaries and expenses at the Departments of Labor, Health and Human Services, and Education, respectively, shall be further reduced on a pro rata basis by $15,000,000.

LIEBERMAN (AND OTHERS) AMENDMENT NO. 3723

Mr. HARKIN (for Mr. LIEBERMAN (for himself, Mr. GORTON, Mr. BAYH, Mr. BRYAN, Ms. LANDRIEU, Mrs. LINCOLN, Mr. KOHL, Mr. ROBB, and Mr. BREAUX)) proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 71, after line 25, insert the following:

SEC. 305. The Comptroller General of the United States, shall evaluate the extent to which funds made available under part A of title I of the Elementary and Secondary Education Act of 1965 are allocated to schools and local educational agencies with the greatest concentrations of school-age children from low-income families, the extent to which allocations of such funds adjust to shifts in concentrations of pupils from low-income families in different regions, States, and substate areas, the extent to which the allocation of such funds encourage the targeting of State funds to areas with higher concentrations of children from low-income families; the implications of current distribution methods for such funds, and formula and other policy recommendations to improve the targeting of such funds to more effectively serve low-income children in both rural and urban areas, and for preparing interim and final reports based on the results of the study, to be submitted to Congress not later than February 1, 2001, and April 1, 2001.

On page 70, line 7, strike ''$396,672,000'' and insert ''$396,671,000''.

BINGAMAN (AND OTHERS) AMENDMENT NO. 3724

Mr. HARKIN (for Mr. BINGAMAN (for himself, Mr. DASCHLE, Mr. JOHNSON, Mr. MCCAIN, Ms. CONRAD, Mrs. MURRAY, Mr. LEAHY, and Mrs. BOXER)) proposed an amendment to the bill, H.R. 4577, supra; as follows:

At the end of title III, insert the following:

SEC. 306.

The amount made available under this title under the heading ''OFFICE OF POSTSECONDARY EDUCATION'' under the heading ''HIGHER EDUCATION'' to carry out section 316 of the Higher Education Act of 1965 is increased by $5,000,000, which increase shall be used for construction and renovation projects under such section; and the amount made available under this title under the heading ''OFFICE OF POSTSECONDARY EDUCATION'' under the heading ''HIGHER EDUCATION'' to carry out part B of title VII of the Higher Education Act of 1965 is decreased by $5,000,000.

BAUCUS (AND JEFFORDS) AMENDMENT NO. 3725

Mr. HARKIN (for Mr. BAUCUS (for himself and Mr. JEFFORDS)) proposed an amendment to the bill, H.R 4577, supra; as follows:

On page 54, between lines 10 and 11, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING IMPACTS OF THE BALANCED BUDGET ACT OF 1997.

(a) FINDINGS.—The Senate makes the following findings:

(1) Since its passage in 1997, the Balanced Budget Act of 1997 has drastically cut payments under the medicare program under title XVIII of the Social Security Act in the areas of hospital, home health, and skilled nursing care, among others. While Congress intended to cut approximately $100,000,000,000 from the medicare program over 5 years, recent estimates put the actual cut at over $200,000,000,000.

(2) A recent study on home health care found that nearly 70 percent of hospital discharge planners surveyed reported a greater difficulty obtaining home health services for medicare beneficiaries as a result of the Balanced Budget Act of 1997.

(3) According to the Medicare Payment Advisory Commission, rural hospitals were disproportionately affected by the Balanced Budget Act of 1997, dropping the inpatient margins of such hospitals over 4 percentage points in 1998.

(b) SENSE OF SENATE.—It is the sense of the Senate that Congress and the President should act expeditiously to alleviate the adverse impacts of the Balanced Budget Act of

1997 on beneficiaries under the medicare program under title XVIII of the Social Security Act and health care providers participating in such program.

TORRICELLI (AND REED) AMENDMENT NO. 3726

Mr. HARKIN (for Mr. TORRICELLI (for himself and Mr. REED)) proposed an amendment to the bill, H.R. 4577, supra; as follows:

At the end of title V, add the following:

SEC. ____. It is the sense of the Senate that each entity carrying out an Early Head Start program under the Head Start Act should—

(1) determine whether a child eligible to participate in the Early Head Start program has received a blood lead screening test, using a test that is appropriate for age and risk factors, upon the enrollment of the child in the program; and

(2) in the case of an child who has not received such a blood lead screening test, ensure that each enrolled child receives such a test either by referral or by performing the test (under contract or otherwise).

TORRICELLI AMENDMENT NO. 3727

Mr. HARKIN (for Mr. TORRICELLI) proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 27, line 24, strike the period and insert the following: '': *Provided further*, That the funds made available under this heading for section 317A of the Public Health Service Act may be made available for programs operated in accordance with a strategy (developed and implemented by the Director for the Centers for Disease Control and Prevention) to identify and target resources for childhood lead poisoning prevention to high-risk populations, including ensuring that any individual or entity that receives a grant under that section to carry out activities relating to childhood lead poisoning prevention may use a portion of the grant funds awarded for the purpose of funding screening assessments and referrals at sites of operation of the Early Head Start programs under the Head Start Act.''.

SMITH OF NEW HAMPSHIRE AMENDMENT NO. 3728

Mr. SPECTER (for Mr. SMITH of New Hampshire) proposed an amendment to the bill, H.R. 4577, supra; as follows:

At the appropriate place add the following:

(a) Whereas sexual abuse in schools between a student and a member of the school staff or a student and another student is a cause for concern in America;

(b) Whereas relatively few studies have been conducted on sexual abuse in schools and the extent of this problem is unknown;

(c) Whereas according to the Child Abuse and Neglect Reporting Act, a school administrator is required to report any allegation of sexual abuse to the appropriate authorities;

(d) Whereas an individual who is falsely accused of sexual misconduct with a student deserves appropriate legal and professional protections;

(e) Whereas it is estimated that many cases of sexual abuse in schools are not reported;

(f) Whereas many of the accused staff quietly resign at their present school district and are then rehired at a new district which has no knowledge of their alleged abuse;

(g) Therefore, it is the Sense of the Senate that the Secretary of Education should initiate a study and make recommendations to Congress and state and local governments on the issue of sexual abuse in schools.''.

BAUCUS (AND OTHERS) AMENDMENT NO. 3729

Mr. HARKIN (for Mr. BAUCUS (FOR HIMSELF, MR. BINGAMAN, Mr. DOMENICI, and Mrs. HUTCHISON)) proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 58, line 3, strike $25,000,000 and insert $350,000,000.

Amounts made available under this Act for the administrative and related expenses of the Department of Health and Human Services, the Department of Labor, and the Department of Education shall be further reduced on a pro rata basis by $10,000,000.

LANDRIEU (AND OTHERS) AMENDMENT NO. 3730

Mr. HARKIN (for Ms. LANDRIEU (for herself, Mr. DEWINE, Mrs. LINCOLN, Mr. GRASSLEY, and Mr. CRAIG)) proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 41, lines 11 and 12, strike ''$7,881,586,000, of which $41,791,000'' and insert ''$7,895,723,000, of which $55,928,000''.

Amounts made available under this Act for the administrative and related expenses of the Department of Health and Human Services, the Department of Labor, and the Department of Education shall be further reduced on a pro rata basis by $14,137,000.

BYRD AMENDMENT NO. 3731

Mr. HARKIN (for Mr. BYRD) proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 69 on line 24 insert the following: ''*Provided further*, That of the amount made available under this heading for activities carried out through the Fund for the Improvement of Education under part A of title X, $50,000,000 shall be made available to enable the Secretary of Education to award grants to develop, implement, and strengthen programs to teach American history (not social studies) as a separate subject within the school curricula''.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

DURBIN (AND OTHERS) AMENDMENT NO. 3732

(Ordered to lie on the table.)

Mr. DURBIN (for himself, Mr. WELLSTONE, Mr. BINGAMAN, Mr. JOHNSON, Mr. KERRY, Mr. KENNEDY, Mr. HARKIN, and Mr. WYDEN) submitted an amendment intended to be proposed by them to the bill (S. 2549) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 53, after line 23, insert the following:

SEC. 243. OPERATIONALLY-REALISTIC TESTING AGAINST COUNTERMEASURES FOR NATIONAL MISSILE DEFENSE.

(a) TESTING REQUIREMENTS.—The Secretary of Defense shall direct the Ballistic Missile Defense Organization—

(1) to include in the ground and flight testing of the National Missile Defense system that is conducted before the system becomes operational any countermeasures (including decoys) that—

(A) are likely, or at least realistically possible, to be used against the system; and

(B) are chosen for testing on the basis of what countermeasure capabilities a long-range missile could have and is likely to have, taking into consideration the technology that the country deploying the missile would have or could likely acquire; and

(2) to determine the extent to which the exoatmospheric kill vehicle and the National Missile Defense system can reliably discriminate between warheads and such countermeasures.

(b) FUTURE FUNDING REQUIREMENTS.—The Secretary, in consultation with the Director of the Ballistic Missile Defense Organization shall—

(1) determine what additional funding, if any, may be necessary for fulfilling the testing requirements set forth in subsection (a) in fiscal years after fiscal year 2001; and

(2) submit the determination to the congressional defense committees at the same time that the President submits the budget for fiscal year 2002 to Congress under section 1105(a) of title 31, United States Code.

(c) REPORT BY SECRETARY OF DEFENSE.—(1) The Secretary of Defense shall, except as provided in paragraph (4), submit to Congress an annual report on the Department's efforts to establish a program for operationally realistic testing of the National Missile Defense system against countermeasures. The report shall be in both classified and unclassified forms.

(2) The report shall include the Secretary's assessment of the following:

(A) The countermeasures available to foreign countries with ballistic missiles that the National Missile Defense system could encounter in a launch of such missiles against the United States.

(B) The ability of the National Missile Defense system to defeat such countermeasures, including the ability of the system to discriminate between countermeasures and reentry vehicles.

(C) The plans to demonstrate the capability of the National Missile Defense system to defeat such countermeasures and the adequacy of the ground and flight testing to demonstrate that capability.

(3) The report shall be submitted not later than January 15 of each year. The first report shall be submitted not later than January 15, 2001.

(4) No annual report is required under this section after the National Missile Defense system becomes operational.

(d) INDEPENDENT REVIEW PANEL.—(1) The Secretary of Defense shall reconvene the Panel on Reducing Risk in Ballistic Missile Defense Flight Test Programs.

(2) The Panel shall assess the following:

(A) The countermeasures available for use against the United States National Missile Defense system.

(B) The operational effectiveness of that system against those countermeasures.

(C) The adequacy of the National Missile Defense flight testing program to demonstrate the capability of the system to defeat the countermeasures.

(3) After conducting the assessment required under paragraph (2), the Panel shall evaluate—

(A) whether sufficient ground and flight testing of the system will have been conducted before the system becomes operational to support the making of a determination, with a justifiably high level of confidence, regarding the operational effectiveness of the system;

(B) whether adequate ground and flight testing of the system will have been conducted, before the system becomes operational, against the countermeasures that are likely, or at least realistically possible, to be used against the system and that other countries have or likely could acquire; and

(C) whether the exoatmospheric kill vehicle and the rest of the National Missile Defense system can reliably discriminate between warheads and such countermeasures.

(4) Not later than March 15, 2001, the Panel shall submit a report on its assessments and evaluations to the Secretary of Defense and to Congress. The report shall include any recommendations for improving the flight testing program for the National Missile Defense system or the operational capability of the system to defeat countermeasures that the Panel determines appropriate.

(e) COUNTERMEASURE DEFINED.—In this section, the term ''countermeasure''—

(1) means any deliberate action taken by a country with long-range ballistic missiles to defeat or otherwise counter a United States National Missile Defense system; and

(2) includes, among other actions—

(A) use of a submunition released by a ballistic missile soon after the boost phase of the missile;

(B) use of anti-simulation, together with such decoys as Mylar balloons, to disguise the signature of the warhead; and

(C) use of a shroud cooled with liquid nitrogen to reduce the infrared signature of the warhead.

HUTCHISON (AND OTHERS) AMENDMENT NO. 3733

(Ordered to lie on the table.)

Mrs. HUTCHISON (for herself, Mr. DORGAN, Mr. BROWNBACK, and Mr. EDWARDS) submitted an amendment intended to be proposed by them to the bill, S. 2549, supra; as follows:

On page 123, between lines 12 and 13, insert the following:

SEC. 377. ASSISTANCE FOR MAINTENANCE, REPAIR, AND RENOVATION OF SCHOOL FACILITIES THAT SERVE DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) GRANTS AUTHORIZED.—Chapter 111 of title 10, United States Code, is amended—

(1) by redesignating section 2199 as section 2199a; and

(2) by inserting after section 2198 the following new section:

''§ 2199. Quality of life education facilities grants

''(a) REPAIR AND RENOVATION ASSISTANCE.—(1) The Secretary of Defense may make a grant to an eligible local educational agency to assist the agency to repair and renovate—

''(A) an impacted school facility that is used by significant numbers of military dependent students; or

''(B) a school facility that was a former Department of Defense domestic dependent elementary or secondary school.

''(2) Authorized repair and renovation projects may include repairs and improvements to an impacted school facility (including the grounds of the facility) designed to ensure compliance with the requirements of the Americans with Disabilities Act or local health and safety ordinances, to meet classroom size requirements, or to accommodate school population increases.

''(3) The total amount of assistance provided under this subsection to an eligible local educational agency may not exceed $5,000,000 during any period of two fiscal years.

''(b) MAINTENANCE ASSISTANCE.—(1) The Secretary of Defense may make a grant to an eligible local educational agency whose boundaries are the same as a military installation to assist the agency to maintain an impacted school facility, including the grounds of such a facility.

''(2) The total amount of assistance provided under this subsection to an eligible local educational agency may not exceed $250,000 during any fiscal year.

''(c) DETERMINATION OF ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—(1) A local educational agency is an eligible local educational agency under this section only if the Secretary of Defense determines that the local educational agency has—

''(A) one or more federally impacted school facilities and satisfies at least one of the additional eligibility requirements specified in paragraph (2); or

''(B) a school facility that was a former Department of Defense domestic dependent elementary or secondary school, but assistance provided under this subparagraph may only be used to repair and renovate that facility.

''(2) The additional eligibility requirements referred to in paragraph (1) are the following:

''(A) The local educational agency is eligible to receive assistance under subsection (f) of section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703) and at least 10 percent of the students who were in average daily attendance in the schools of such agency during the preceding school year were students described under paragraph (1)(A) or (1)(B) of section 8003(a) of the Elementary and Secondary Education Act of 1965.

''(B) At least 35 percent of the students who were in average daily attendance in the schools of the local educational agency during the preceding school year were students described under paragraph (1)(A) or (1)(B) of section 8003(a) of the Elementary and Secondary Education Act of 1965.

''(C) The State education system and the local educational agency are one and the same.

''(d) NOTIFICATION OF ELIGIBILITY.—Not later than June 30 of each fiscal year, the Secretary of Defense shall notify each local educational agency identified under subsection (c) that the local educational agency is eligible during that fiscal year to apply for a grant under subsection (a), subsection (b), or both subsections.

''(e) RELATION TO IMPACT AID CONSTRUCTION ASSISTANCE.—A local education agency that receives a grant under subsection (a) to repair and renovate a school facility may not also receive a payment for school construction under section 8007 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707) for the same fiscal year.

''(f) GRANT CONSIDERATIONS.—In determining which eligible local educational agencies will receive a grant under this section for a fiscal year, the Secretary of Defense shall take into consideration the following conditions and needs at impacted school facilities of eligible local educational agencies:

''(1) The repair or renovation of facilities is needed to meet State mandated class size requirements, including student-teacher ratios and instructional space size requirements.

''(2) There is a increase in the number of military dependent students in facilities of the agency due to increases in unit strength as part of military readiness.

''(3) There are unhoused students on a military installation due to other strength adjustments at military installations.

''(4) The repair or renovation of facilities is needed to address any of the following conditions:

''(A) The condition of the facility poses a threat to the safety and well-being of students.

''(B) The requirements of the Americans with Disabilities Act.

''(C) The cost associated with asbestos removal, energy conservation, or technology upgrades.

''(D) Overcrowding conditions as evidenced by the use of trailers and portable buildings and the potential for future overcrowding because of increased enrollment.

''(5) The repair or renovation of facilities is needed to meet any other Federal or State mandate.

''(6) The number of military dependent students as a percentage of the total student population in the particular school facility.

''(7) The age of facility to be repaired or renovated.

''(g) DEFINITIONS.—In this section:

''(1) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

''(2) IMPACTED SCHOOL FACILITY.—The term 'impacted school facility' means a facility of a local educational agency—

''(A) that is used to provide elementary or secondary education at or near a military installation; and

''(B) at which the average annual enrollment of military dependent students is a high percentage of the total student enrollment at the facility, as determined by the Secretary of Defense.

''(3) MILITARY DEPENDENT STUDENTS.—The term 'military dependent students' means students who are dependents of members of the armed forces or Department of Defense civilian employees.

''(4) MILITARY INSTALLATION.—The term 'military installation' has the meaning given that term in section 2687(e) of this title.''.

(b) AMENDMENTS TO CHAPTER HEADING AND TABLES OF CONTENTS.—(1) The heading of chapter 111 of title 10, United States Code, is amended to read as follows:

''CHAPTER 111—SUPPORT OF EDUCATION''.

(2) The table of sections at the beginning of such chapter is amended by striking the item relating to section 2199 and inserting the following new items:

''2199. Quality of life education facilities grants.

''2199a. Definitions.''.

(3) The tables of chapters at the beginning of subtitle A, and at the beginning of part III of subtitle A, of such title are amended by striking the item relating to chapter 111 and inserting the following:

''111. Support of Education ..... 2191''.

(c) FUNDING FOR FISCAL YEAR 2001.—Amounts appropriated in the Department of Defense Appropriations Act, 2001, under the heading ''QUALITY OF LIFE ENHANCEMENTS, DEFENSE'' may be used by the Secretary of Defense to make grants under section 2199 of title 10, United States Code, as added by subsection (a).

WARNER AMENDMENT NO. 3734

(Ordered to lie on the table.)

Mr. WARNER submitted an amendment intended to be proposed by him to the bill, S. 2549, supra; as follows:

On page 123, between lines 12 and 13, insert the following:

SEC. 377. POSTPONEMENT OF IMPLEMENTATION OF DEFENSE JOINT ACCOUNTING SYSTEM (DJAS) PENDING ANALYSIS OF THE SYSTEM.

(a) POSTPONEMENT.—The Secretary of Defense may not grant a Milestone III decision for the Defense Joint Accounting System (DJAS) until the Secretary—

(1) conducts, with the participation of the Inspector General of the Department of Defense and the inspectors general of the military departments, an analysis of alternatives to the system to determine whether the system warrants deployment; and

(2) if the Secretary determines that the system warrants deployment, submits to the congressional defense committees a report certifying that the system meets Milestone I and Milestone II requirements and applicable requirements of the Clinger-Cohen Act of 1996 (divisions D and E of Public Law 104–106).

(b) DEADLINE FOR REPORT.—The report referred to in subsection (a)(2) shall be submitted, if at all, not later than March 30, 2001.

DOMENICI AMENDMENT NO. 3735

(Ordered to lie on the table.)

Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill, S. 2549, supra; as follows:

On page 353, between lines 15 and 16, insert the following:

SEC. 914. COORDINATION AND FACILITATION OF DEVELOPMENT OF DIRECTED ENERGY TECHNOLOGIES, SYSTEMS, AND WEAPONS.

(a) FINDINGS.—Congress makes the following findings:

(1) Directed energy systems are available to address many current challenges with respect to military weapons, including offensive weapons and defensive weapons.

(2) Directed energy weapons offer the potential to maintain an asymmetrical technological edge over adversaries of the United States for the foreseeable future.

(3) It is in the national interest that funding for directed energy science and technology programs be increased in order to support priority acquisition programs and to develop new technologies for future applications.

(4) It is in the national interest that the level of funding for directed energy science and technology programs correspond to the level of funding for large-scale demonstration programs in order to ensure the growth of directed energy science and technology programs and to ensure the successful development of other weapons systems utilizing directed energy systems.

(5) The industrial base for several critical directed energy technologies is in fragile condition and lacks appropriate incentives to make the large-scale investments that are necessary to address current and anticipated Department of Defense requirements for such technologies.

(6) It is in the national interest that the Department of Defense utilize and expand upon directed energy research currently being conducted by the Department of Energy, other Federal agencies, the private sector, and academia.

(7) It is increasingly difficult for the Federal Government to recruit and retain personnel with skills critical to directed energy technology development.

(8) The implementation of the recommendations contained in the High Energy Laser Master Plan of the Department of Defense is in the national interest.

(9) Implementation of the management structure outlined in the Master Plan will facilitate the development of revolutionary capabilities in directed energy weapons by achieving a coordinated and focused investment strategy under a new management structure featuring a joint technology office with senior-level oversight provided by a technology council and a board of directors.

(b) COORDINATION AND OVERSIGHT UNDER HIGH ENERGY LASER MASTER PLAN.—(1) Subchapter II of Chapter 8 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 204. Joint Technology Office

''(a) ESTABLISHMENT.—(1) There is in the Department of Defense a Joint Technology Office (in this section referred to as the 'Office'). The Office shall be considered an independent office within the Office of the Secretary of Defense.

''(2) The Secretary of Defense may delegate responsibility for authority, direction, and control of the Office to the Deputy Under Secretary of Defense for Science and Technology.

''(b) DIRECTOR.—(1) The head of the Office shall be a civilian employee of the Department of Defense in the Senior Executive Service who is designated by the Secretary of Defense for that purpose. The head of the Office shall be known as the 'Director of the Joint Technology Office'.

''(2) The Director shall report directly to the Deputy Under Secretary of Defense for Science and Technology.

''(c) OTHER STAFF.—The Secretary of Defense shall provide the Office such civilian and military personnel and other resources as are necessary to permit the Office to carry out its duties under this section.

''(d) DUTIES.—The duties of the Office shall be to—

''(1) develop and oversee the management of a Department of Defense-wide program of science and technology relating to directed energy technologies, systems, and weapons;

''(2) serve as a point of coordination for initiatives for science and technology relating to directed energy technologies, systems, and weapons from throughout the Department of Defense;

''(3) develop and promote a program (to be known as the 'National Directed Energy Technology Alliance') to foster the exchange of information and cooperative activities on directed energy technologies, systems, and weapons between and among the Department of Defense, other Federal agencies, institutions of higher education, and the private sector;

''(4) initiate and oversee the coordination of the high-energy laser and high power microwave programs and offices of the military departments; and

''(5) carry out such other activities relating to directed energy technologies, systems, and weapons as the Deputy Under Secretary of Defense for Science and Technology considers appropriate.

''(e) COORDINATION WITHIN DEPARTMENT OF DEFENSE.—(1) The Director of the Office shall assign to appropriate personnel of the Office the performance of liaison functions with the other Defense Agencies and with the military departments.

''(2) The head of each military department and Defense Agency having an interest in the activities of the Office shall assign personnel of such department or Defense Agency to assist the Office in carrying out its duties. In providing such assistance, such personnel shall be known collectively as 'Technology Area Working Groups'.

''(f) JOINT TECHNOLOGY BOARD OF DIRECTORS.—(1) There is established in the Department of Defense a board to be known as the 'Joint Technology Board of Directors' (in this section referred to as the 'Board').

''(2) The Board shall be composed of 9 members as follows:

''(A) The Under Secretary of Defense for Acquisition and Technology, who shall serve as chairperson of the Board.

''(B) The Director of Defense Research and Engineering, who shall serve as vice-chairperson of the Board.

''(C) The senior acquisition executive of the Department of the Army.

''(D) The senior acquisition executive of the Department of the Navy.

''(E) The senior acquisition executive of the Department of the Air Force.

''(F) The senior acquisition executive of the Marine Corps.

''(G) The Director of the Defense Advanced Research Projects Agency.

''(H) The Director of the Ballistic Missile Defense Organization.

''(I) The Director of the Defense Threat Reduction Agency.

''(3) The duties of the Board shall be—

''(A) to review and comment on recommendations made and issues raised by the Council under this section; and

''(B) to review and oversee the activities of the Office under this section.

''(g) JOINT TECHNOLOGY COUNCIL.—(1) There is established in the Department of Defense a council to be known as the 'Joint Technology Council' (in this section referred to as the 'Council').

''(2) The Council shall be composed of 8 members as follows:

''(A) The Deputy Under Secretary of Defense for Science and Technology, who shall be chairperson of the Council.

''(B) The senior science and technology executive of the Department of the Army.

''(C) The senior science and technology executive of the Department of the Navy.

''(D) The senior science and technology executive of the Department of the Air Force.

''(E) The senior science and technology executive of the Marine Corps.

''(F) The senior science and technology executive of the Defense Advanced Research Projects Agency.

''(G) The senior science and technology executive of the Ballistic Missile Defense Organization.

''(H) The senior science and technology executive of the Defense Threat Reduction Agency.

''(3) The duties of the Council shall be—

''(A) to review and recommend priorities among programs, projects, and activities proposed and evaluated by the Office under this section;

''(B) to make recommendations to the Board regarding funding for such programs, projects, and activities; and

''(C) to otherwise review and oversee the activities of the Office under this section.''.

(2) The table of sections at the beginning of subchapter II of chapter 8 of such title is amended by adding at the end the following new section:

''204. Joint Technology Office.''.

(3)(A) The Secretary of Defense shall locate the Joint Technology Office under section 204 of title 10, United States Code (as added by this subsection), at a location determined appropriate by the Secretary, not later than October 1, 2000.

(B) In determining the location of the Office, the Secretary shall, in consultation with the Deputy Under Secretary of Defense for Science and Technology, evaluate whether to locate the Office at a site at which occur a substantial proportion of the directed energy research, development, test, and evaluation activities of the Department of Defense.

(c) TECHNOLOGY AREA WORKING GROUPS UNDER HIGH ENERGY LASER MASTER PLAN.—The Secretary of Defense shall provide for the implementation of the portion of the High Energy Laser Master Plan relating to technology area working groups.

(d) ENHANCEMENT OF INDUSTRIAL BASE.—(1) The Secretary of Defense shall develop and undertake initiatives, including investment initiatives, for purposes of enhancing the industrial base for directed energy technologies and systems.

(2) Initiatives under paragraph (1) shall be designed to—

(A) stimulate the development by institutions of higher education and the private sector of promising directed energy technologies and systems; and

(B) stimulate the development of a workforce skilled in such technologies and systems.

(e) ENHANCEMENT OF TEST AND EVALUATION CAPABILITIES.—The Secretary of Defense shall consider modernizing the High Energy Laser Test Facility at White Sands Missile Range, New Mexico, in order to enhance the test and evaluation capabilities of the Department of Defense with respect to directed energy weapons.

(f) COOPERATIVE PROGRAMS AND ACTIVITIES.—(1) The Secretary of Defense shall evaluate the feasibility and advisability of entering into cooperative programs or activities with other Federal agencies, institutions of higher education, and the private sector, including the national laboratories of the Department of Energy, for the purpose of enhancing the programs, projects, and activities of the Department of Defense relating to directed energy technologies, systems, and weapons. The Secretary shall carry out the evaluation in consultation with the Joint Technology Board of Directors established by section 204 of title 10, United States Code (as added by subsection (b) of this section).

(2) The Secretary shall enter into any cooperative program or activity determined under the evaluation under paragraph (1) to be feasible and advisable for the purpose set forth in that paragraph.

(g) PARTICIPATION OF JOINT TECHNOLOGY COUNCIL IN ACTIVITIES.—The Secretary of Defense shall, to the maximum extent practicable, carry out activities under subsections (c), (d), (e), and (f), through the Joint Technology Council established pursuant to section 204 of title 10, United States Code.

(h) FUNDING FOR FISCAL YEAR 2001.—(1) Of the amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation, Defense-wide, up to $50,000,000 may be available for science and technology activities relating to directed energy technologies, systems, and weapons.

(2) The Director of the Joint Technology Office established pursuant to section 204 of title 10, United States Code, shall allocate amounts available under paragraph (1) among appropriate program elements of the Department of Defense, and among cooperative programs and activities under this section, in accordance with such procedures as the Director shall establish.

(3) In establishing procedures for purposes of the allocation of funds under paragraph (2), the Director shall provide for the competitive selection of programs, projects, and activities to be the recipients of such funds.

(i) DIRECTED ENERGY DEFINED.—In this section, the term ''directed energy'', with respect to technologies, systems, or weapons, means technologies, systems, or weapons that provide for the directed transmission of energies across the energy and frequency spectrum, including high energy lasers and high power microwaves.

HUTCHISON (AND CLELAND) AMENDMENT NO. 3736

(Ordered to lie on the table.)

Mrs. HUTCHISON (for herself and Mr. CLELAND) submitted an amendment intended to be proposed by them to the bill, S. 2549, supra; as follows:

On page 462, between lines 2 and 3, insert the following:

SEC. . ALLOCATION OF FUNDS FOR THE PLANNING AND EXECUTION OF A BALKANS STABILIZATION CONFERENCE.

(a) SHORT TITLE.—This section may be cited as the ''Balkans Peace and Prosperity Act of 2000''.

(b) FINDINGS.—Congress makes the following findings:

(1) The Dayton Peace Accords and the cease-fire agreement that concluded Operation Allied Force in Kosovo halted Serbian aggression toward its neighbors and its own people.

(2) Efforts to restore the economy and political structure in Bosnia and Herzegovina have achieved limited success in accordance with the Dayton Agreement.

(3) Similar efforts in Kosovo continue with very limited success one year after the conclusion of Operation Allied Force in June 1999.

(4) The Dayton Agreement explicitly left certain issues unresolved, including but not limited to the status of the city of Breko and other matters.

(5) Progress toward democratization and economic prosperity in both Bosnia and Kosovo is often hampered by continuing disputes among local authorities and between local authorities and the international community.

(6) Other issues which are fundamental to the future stability of the Balkan region remain unresolved, including but not limited to the future status of Kosovo, the desire of other Serb provinces for greater autonomy, and the status of displaced persons who cannot return to prewar homes.

(7) The current position of the United States and its NATO allies as to the final status of Kosovo and Yugoslavia calls for an autonomous, multiethnic, democratic Kosovo which would remain as part of Serbia, and such an outcome is not supported by any of the parties directly involved, including the Governments of Yugoslavia and Serbia, representatives of the Kosovar Albanians, and the people of Yugoslavia, Serbia, and Kosovo.

(8) There has been no final political settlement in Bosnia-Herzegovina, where the Armed Forces of the United States, its NATO allies, and other non-Balkan nations have been enforcing an uneasy peace since 1996, at a cost to the United States alone of more than $10,000,000,000 with no clear end in sight to such enforcement.

(9) An effective exit strategy for the withdrawal from the Balkans of foreign military forces is contingent upon the achievement of a lasting political settlement for the region, and only such a settlement, acceptable to all parties involved, can ensure the fundamental goals of the United States of peace, stability, and human rights in the Balkans.

(c) SENSE OF CONGRESS REGARDING THE NEED FOR A BALKANS STABILIZATION CONFERENCE.—It is the sense of Congress that—

(1) the United States should take the lead in convening a Balkans Stabilization Conference to evaluate progress on implementation of the Dayton Peace Accords regarding Bosnia and the cease-fire agreement with Serbia that ended Operation Allied Force;

(2) a Balkans Stabilization Conference would serve a critical purpose of reviewing progress to date and considering such modifications to those agreements as may be appropriate to foster stability, self-sustained peace, improved self-determination by the inhabitants of the region, and the eventual reduction in the levels of outside peacekeepers;

(3) the potential for a successful review conference would be maximized if it included the parties to the Dayton and Operation Allied Force peace agreements, including representatives of NATO, the Balkans ''Contact Group'', and other affected regional parties; and

(4) in order to produce a lasting political settlement in the Balkans acceptable to all parties, which can lead to the departure from the Balkans in a timely fashion of all foreign military forces, including those of the United States, the international conference should have the authority to consider any and all of the following:

(A) Political boundaries.

(B) Humanitarian and reconstruction assistance for all nations in the Balkans.

(C) The stationing of United Nations peacekeeping forces along international boundaries.

(D) Security arrangements and guarantees for all of the nations of the Balkans.

(E) Tangible, enforceable, and verifiable human rights guarantees for the individuals and peoples of the Balkans.

(d) AUTHORIZATION OF FUNDS FOR A BALKANS STABILIZATION CONFERENCE.—Of the amounts authorized to be appropriated by this Act for operations in the Balkans, there are authorized to be available such sums as may be necessary not to exceed $1,000,000 for the planning and execution of the conference described in subsection (c).

MCCAIN AMENDMENT NO. 3737

(Ordered to lie on the table.)

Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill, S. 2549, supra; as follows:

On page 32, after line 24, add the following:

SEC. 142. REPEAL OF PROHIBITION ON USE OF DEPARTMENT OF DEFENSE FUNDS FOR PROCUREMENT OF NUCLEAR-CAPABLE SHIPYARD CRANE FROM A FOREIGN SOURCE.

Section 8093 of the Department of Defense Appropriations Act, 2000 (Public Law 106–79; 113 Stat. 1253) is amended by striking subsection (d), relating to a prohibition on the use of Department of Defense funds to procure a nuclear-capable shipyard crane from a foreign source.

WARNER (AND BYRD) AMENDMENT NO. 3738

(Ordered to lie on the table.)

Mr. WARNER (for himself and Mr. BYRD) submitted an amendment intended to be proposed by them to the bill, S. 2549, supra; as follows:

On page 586, after line 20, add the following:

SEC. 3138. NATIONAL COMMISSION ON NUCLEAR SECURITY.

(a) ESTABLISHMENT.—There is hereby established a commission to be known as the ''National Commission on Nuclear Security'' (in this section referred to as the ''Commission'').

(b) ORGANIZATIONAL MATTERS.—(1)(A) Subject to subparagraph (B), the Commission shall be composed of 14 members appointed from among individuals in the public and private sectors who have recognized experience in matters related to nuclear weapons and materials, safeguards and security, counterintelligence, and organizational management, as follows:

(i) Three shall be appointed by the Majority Leader of the Senate.

(ii) Two shall be appointed by the Minority Leader of the Senate.

(iii) Three shall be appointed by the Speaker of the House of Representatives.

(iv) Two shall be appointed by the Minority Leader of the House of Representatives.

(v) One shall be appointed by the Chairman of the Committee on Armed Services of the Senate.

(vi) One shall be appointed by the ranking member of the Committee on Armed Services of the Senate.

(vii) One shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives.

(viii) One shall be appointed by the ranking member of the Committee on Armed Services of the House of Representatives.

(B) The members of the Commission may not include a sitting Member of Congress.

(C) Members of the Commission shall be appointed not later than 60 days after the date of the enactment of this Act.

(2) Any vacancies in the Commission shall be filled in the same manner as the original appointment, and shall not affect the powers of the Commission.

(3)(A) Subject to subparagraph (B), the chairman of the Commission shall be designated by the Majority Leader of the Senate, in consultation with the Speaker of the House of Representatives, from among the members of the Commission appointed under paragraph (1)(A).

(B) The chairman of the Commission may not be designated under subparagraph (A) until seven members of the Commission have been appointed under paragraph (1).

(4) The Commission may commence its activities under this section upon the designation of the chairman of the Commission under paragraph (3).

(5) The members of the Commission shall establish procedures for the activities of the Commission, including procedures for calling meetings, requirements for quorums, and the manner of taking votes.

(c) DUTIES.—The Commission shall review the efficacy of the organization of the National Nuclear Security Administration, and the appropriate organization and management of the nuclear weapons programs of the United States, including—

(1) whether the national security functions of the Department of Energy, including the National Nuclear Security Administration, should—

(A) be transferred to the Department of Defense;

(B) be established as a semiautonomous agency within the Department of Defense;

(C) be established as an independent agency; or

(D) remain as a semiautonomous agency within the Department of Energy (as provided for under the provisions of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65));

(2) whether the requirements and objectives of the National Nuclear Security Administration Act are being fully implemented by the Secretary of Energy and Administrator of the National Nuclear Security Administration;

(3) the feasibility and advisability of various means of improving the security and counterintelligence posture of the programs of the National Nuclear Security Administration; and

(4) the feasibility and advisability of various modifications of existing management and operating contracts for the laboratories under the jurisdiction of the National Nuclear Security Administration.

(d) REPORT.—(1) Not later than May 1, 2001, the Commission shall submit to the Secretary of Defense and the Secretary of Energy, and to Congress, a report containing the findings and recommendations of the Commission as a result of the review under subsection (c).

(2) The report shall include any pertinent comments by an individual serving as Secretary of Energy during the duration of the review that such individual considers appropriate for the report,

(3) The report may include recommendations for legislation and administrative action.

(e) PERSONNEL MATTERS.—(1)(A) Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5316 of title 5, United States Code, for each day (including traveltime) during which such member is engaged in the performance of the duties of the Commission.

(B) All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(2) The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3) Any officer or employee of the United States may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(f) INAPPLICABILITY OF FACA.—The provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the activities of the Commission.

(g) TERMINATION.—The Commission shall terminate not later than 90 days after the date on which the Commission submits its report under subsection (d).

(h) FUNDING.—Of the amounts authorized to be appropriated by sections 3101 and 3103, not more than $975,000 shall be available for the activities of the Commission under this section. Amounts available to the Commission under this section shall remain available until expended.

WARNER (AND OTHERS) AMENDMENT NO. 3739

(Ordered to lie on the table.)

Mr. WARNER (for himself, Mr. SHELBY, and Mr. BRYAN) submitted an amendment intended to be proposed by them to the bill, S. 2549, supra; as follows:

On page 595, strike line 23 and all that follows through page 597, line 3, and insert the following:

''(2) Subject to paragraph (3), the Secretary may waive the applicability of paragraph (1) to a covered person—

''(A) if—

''(i) the Secretary determines that the waiver is important to the national security interests of the United States;

''(ii) the covered person has a current security clearance; and

''(iii) the covered person acknowledges in a signed writing that the capacity of the covered person to perform duties under a high-risk program after the expiration of the waiver is conditional upon meeting the requirements of paragraph (1) within the effective period of the waiver;

''(B) if another Federal agency certifies to the Secretary that the covered person has completed successfully a full-scope or counterintelligence-scope polygraph examination during the 5-year period ending on the date of the certification; or

''(C) if the Secretary determines, after consultation with the covered person and appropriate medical personnel and security personnel, that the treatment of a medical or psychological condition of the covered person should preclude the administration of the examination.

''(3)(A) The Secretary may not commence the exercise of the authority under paragraph (2) to waive the applicability of paragraph (1) to any covered persons until 15 days after the date on which the Secretary submits to the appropriate committees of Congress a report setting forth the criteria to be utilized by the Secretary for determining when a waiver under paragraph (2)(A) is important to the national security interests of the United States. The criteria shall include an assessment of counterintelligence risks and programmatic impacts.

''(B) Any waiver under paragraph (2)(A) shall be effective for not more than 120 days.

''(C) Any waiver under paragraph (2)(C) shall be effective for the duration of the treatment on which such waiver is based.

''(4) The Secretary shall submit to the appropriate committees of Congress on a semiannual basis a report on any determinations made under paragraph (2)(A) during the 6-month period ending on the date of such report. The report shall include a national security justification for each waiver resulting from such determinations.

''(5) In this subsection, the term 'appropriate committees of Congress' means the following:

''(A) The Committee on Armed Services and the Select Committee on Intelligence of the Senate.

''(B) The Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

''(6) It is the sense of Congress that the waiver authority in paragraph (2) not be used by the Secretary to exempt from the applicability of paragraph (1) any covered persons in the highest risk categories, such as persons who have access to the most sensitive weapons design information and other highly sensitive programs, including special access programs.

''(7) The authority under paragraph (2) to waive the applicability of paragraph (1) to a covered person shall expire on September 30, 2002.''.

INHOFE (AND NICKLES) AMENDMENT NO. 3740

Mr. WARNER (for Mr. INHOFE (for himself and Mr. NICKLES) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 58, between lines 7 and 8, insert the following:

SEC. 313. INDUSTRIAL MOBILIZATION CAPACITY AT GOVERNMENT-OWNED, GOVERNMENT-OPERATED ARMY AMMUNITION FACILITIES AND ARSENALS.

Of the amount authorized to be appropriated under section 301(1), $51,280,000 shall be available for funding the industrial mobilization capacity at Army ammunition facilities and arsenals that are government owned, government operated.

DORGAN (AND CONRAD) AMENDMENT NO. 3741

Mr. LEVIN (for Mr. DORGAN (for himself and Mr. CONRAD)) proposed an amendment to the bill, S. 2549, supra; as follows:

At the appropriate place, insert:

SEC. . SENSE OF THE SENATE RESOLUTION ON THE MODERNIZATION OF AIR NATIONAL GUARD F–16A UNITS.

(a) FINDINGS.—Congress finds that—

(1) Certain U.S. Air Force Air National Guard fighter units are flying some of the world's oldest and least capable F–16A aircraft which are approaching the end of their service lives.

(2) The aircraft are generally incompatible with those flown by the active force and therefore cannot be effectively deployed to theaters of operation to support contingencies and to relieve the high operations tempo of active duty units.

(3) The Air Force has specified no plans to replace these obsolescent aircraft before the year 2007 at the earliest.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that in light of these findings—

(1) The Air Force should, by February 1, 2001, provide Congress with a plan to modernize and upgrade the combat capabilities of those Air National Guard units that are now flying F–16As so they can deploy as part of Air Expeditionary Forces and assist in relieving the high operations tempo of active duty units.

WARNER AMENDMENT NO. 3742

Mr. WARNER proposed an amendment to amendment No. 3420 proposed by him (for Mr. INHOFE) to the bill, S. 2459, supra; as follows:

Strike the matter proposed to be inserted and insert the following:

SEC. 1061. DEPARTMENT OF DEFENSE PROCESS FOR DECISIONMAKING IN CASES OF FALSE CLAIMS.

Not later than February 1, 2001, the Secretary of Defense shall submit to Congress a report describing the policies and procedures for Department of Defense decisionmaking on issues arising under sections 3729 through 3733 of title 31, United States Code, in cases of claims submitted to the Department of Defense that are suspected or alleged to be false. The report shall include a discussion of any changes that have been made in the policies and procedures since January 1, 2000.

WARNER AMENDMENT NO. 3743

Mr. WARNER proposed an amendment to the bill, S. 2549, supra; as follows:

On page 380, strike line 4 and all that follows through page 385, line 8, and insert the following:

SEC. 1042. INFORMATION SECURITY SCHOLARSHIP PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—(1) Part III of subtitle A of title 10, United States Code, is amended by adding at the end the following:

"CHAPTER 112—INFORMATION SECURITY SCHOLARSHIP PROGRAM

"§ 2200. Programs; purpose

''(a) IN GENERAL.—To encourage the recruitment and retention of Department of Defense personnel who have the computer and network security skills necessary to meet Department of Defense information assurance requirements, the Secretary of Defense may carry out programs in accordance with this chapter to provide financial support for education in disciplines relevant to those requirements at institutions of higher education.

''(b) TYPES OF PROGRAMS.—The programs authorized under this chapter are as follows:

''(1) Scholarships for pursuit of programs of education in information assurance at institutions of higher education.

''(2) Grants to institutions of higher education.

"§ 2200a. Scholarship program

''(a) AUTHORITY.—The Secretary of Defense may, subject to subsection (g), provide financial assistance in accordance with this section to a person pursuing a baccalaureate or advanced degree in an information assurance discipline referred to in section 2200(a) of this title at an institution of higher education who enters into an agreement with the Secretary as described in subsection (b).

''(b) SERVICE AGREEMENT FOR SCHOLARSHIP RECIPIENTS.—(1) To receive financial assistance under this section—

''(A) a member of the armed forces shall enter into an agreement to serve on active duty in the member's armed force for the period of obligated service determined under paragraph (2);

''(B) an employee of the Department of Defense shall enter into an agreement to continue in the employment of the department for the period of obligated service determined under paragraph (2); and

''(C) a person not referred to in subparagraph (A) or (B) shall enter into an agreement—

''(i) to enlist or accept a commission in one of the armed forces and to serve on active duty in that armed force for the period of obligated service determined under paragraph (2); or

''(ii) to accept and continue employment in the Department of Defense for the period of obligated service determined under paragraph (2).

''(2) For the purposes of this subsection, the period of obligated service for a recipient of financial assistance under this section shall be the period determined by the Secretary of Defense as being appropriate to obtain adequate service in exchange for the financial assistance and otherwise to achieve the goals set forth in section 2200(a) of this title. In no event may the period of service required of a recipient be less than the period equal to ¾ of the total period of pursuit of a degree for which the Secretary agrees to provide the recipient with financial assistance under this section. The period of obligated service is in addition to any other period for which the recipient is obligated to serve on active duty or in the civil service, as the case may be.

''(3) An agreement entered into under this section by a person pursuing an academic degree shall include clauses that provide the following:

''(A) That the period of obligated service begins on a date after the award of the degree that is determined under the regulations prescribed under section 2200d of this title.

''(B) That the person will maintain satisfactory academic progress, as determined in accordance with those regulations, and that failure to maintain such progress constitutes grounds for termination of the financial assistance for the person under this section.

''(C) Any other terms and conditions that the Secretary of Defense determines appropriate for carrying out this section.

''(c) AMOUNT OF ASSISTANCE.—The amount of the financial assistance provided for a person under this section shall be the amount determined by the Secretary of Defense as being necessary to pay all educational expenses incurred by that person, including tuition, fees, cost of books, laboratory expenses, and expenses of room and board. The expenses paid, however, shall be limited to those educational expenses normally incurred by students at the institution of higher education involved.

''(d) USE OF ASSISTANCE FOR SUPPORT OF INTERNSHIPS.—The financial assistance for a person under this section may also be provided to support internship activities of the person at the Department of Defense in periods between the academic years leading to the degree for which assistance is provided the person under this section.

''(e) REFUND FOR PERIOD OF UNSERVED OBLIGATED SERVICE.—(1) A person who voluntarily terminates service before the end of the period of obligated service required under an agreement entered into under subsection (b) shall refund to the United States an amount determined by the Secretary of Defense as being appropriate to obtain adequate service in exchange for financial assistance and otherwise to achieve the goals set forth in section 2200(a) of this title.

''(2) An obligation to reimburse the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

''(3) The Secretary of Defense may waive, in whole or in part, a refund required under paragraph (1) if the Secretary determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

''(f) EFFECT OF DISCHARGE IN BANKRUPTCY.—A discharge in bankruptcy under title 11 that is entered less than 5 years after the termination of an agreement under this section does not discharge the person signing such agreement from a debt arising under such agreement or under subsection (e).

''(g) ALLOCATION OF FUNDING.—Not less than 50 percent of the amount available for financial assistance under this section for a fiscal year shall be available only for providing financial assistance for the pursuit of degrees referred to in subsection (a) at institutions of higher education that have established, improved, or are administering programs of education in information assurance under the grant program established in section 2200b of this title, as determined by the Secretary of Defense.

"§ 2200b. Grant program

''(a) AUTHORITY.—The Secretary of Defense may provide grants of financial assistance to institutions of higher education to support the establishment, improvement, or administration of programs of education in information assurance disciplines referred to in section 2200(a) of this title.

''(b) PURPOSES.—The proceeds of grants under this section may be used by an institution of higher education for the following purposes:

''(1) Faculty development.

''(2) Curriculum development.

''(3) Laboratory improvements.

''(4) Faculty research in information security.

"§ 2200c. Centers of Academic Excellence in Information Assurance Education

''In the selection of a recipient for the award of a scholarship or grant under this chapter, consideration shall be given to whether—

''(1) in the case of a scholarship, the institution at which the recipient pursues a degree is a Center of Academic Excellence in Information Assurance Education; and

''(2) in the case of a grant, the recipient is a Center of Academic Excellence in Information Assurance Education.

"§ 2200d. Regulations

''The Secretary of Defense shall prescribe regulations for the administration of this chapter.

"§ 2200e. Definitions

''In this chapter:

''(1) The term 'information assurance' includes the following:

''(A) Computer security.

''(B) Network security.

''(C) Any other information technology that the Secretary of Defense considers related to information assurance.

''(2) The term 'institution of higher education' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

''(3) The term 'Center of Academic Excellence in Information Assurance Education' means an institution of higher education that is designated as a Center of Academic Excellence in Information Assurance Education by the Director of the National Security Agency.

''§ 2200f. Inapplicability to Coast Guard

''This chapter does not apply to the Coast Guard when it is not operating as a service in the Navy.''.

(2) The tables of chapters at the beginning of subtitle A of title 10, United States Code, and the beginning of part III of such subtitle are amended by inserting after the item relating to chapter 111 the following:

''112. Information Security Scholarship Program ..... 2200''.

(b) FUNDING.—Of the amount authorized to be appropriated under section 301(5), $20,000,000 shall be available for carrying out chapter 112 of title 10, United States Code (as added by subsection (a)).

(c) REPORT.—Not later than April 1, 2001, the Secretary of Defense shall submit to the congressional defense committees a plan for implementing the programs under chapter 112 of title 10, United States Code.

ROBERTS AMENDMENT NO. 3744

Mr. WARNER (for Mr. ROBERTS) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 610, between lines 13 and 14, insert the following:

SEC. 3178. ADJUSTMENT OF THRESHOLD REQUIREMENT FOR SUBMISSION OF REPORTS ON ADVANCED COMPUTER SALES TO TIER III FOREIGN COUNTRIES.

Section 3157 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 2045) is amended by adding at the end the following:

''(e) ADJUSTMENT OF PERFORMANCE LEVELS.—Whenever a new composite theoretical performance level is established under section 1211(d), that level shall apply for purposes of subsection (a) of this section in lieu of the level set forth in subsection (a).''.

LEVIN (AND OTHERS) AMENDMENT NO. 3745

Mr. LEVIN (for himself, Mr. LIEBERMAN, and Mr. CLELAND) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 18, line 4, strike ''$2,184,608,000'' and insert ''$2,203,508,000''.

On page 16, line 22, strike ''$4,068,570,000'' and insert ''$4,049,670,000''.

WARNER (AND OTHERS) AMENDMENT NO. 3746

Mr. WARNER (for himself, Mr. SANTORUM, and Mr. LIEBERMAN) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 33, line 10, strike ''$5,461,946,000'' and insert ''$5,501,946,000''.

On page 33, line 12, strike ''$13,927,836,000'' and insert ''$13,887,836,000''.

On page 48, between lines 20 and 21, insert the following:

SEC. 222. FUNDING FOR COMPARISONS OF MEDIUM ARMORED COMBAT VEHICLES.

Of the amount authorized to be appropriated under section 201(1), $40,000,000 shall be available for the advanced tank armament system program for the development and execution of the plan for comparing costs and operational effectiveness of medium armored combat vehicles required under section 112(b).

WARNER AMENDMENT NO. 3747

Mr. WARNER proposed an amendment to the bill, S. 2549, supra; as follows:

On page 415, between lines 2 and 3, insert the following:

SEC. 1061. TWO-YEAR EXTENSION OF AUTHORITY TO ENGAGE IN COMMERCIAL ACTIVITIES AS SECURITY FOR INTELLIGENCE COLLECTION ACTIVITIES.

Section 431(a) of title 10, United States Code, is amended in the second sentence by striking ''December 31, 2000'' and inserting ''December 31, 2002''.

DOMENICI (AND OTHERS) AMENDMENT NO. 3748

Mr. WARNER (for Mr. DOMENICI (for himself, Mr. BINGAMAN, and Mrs. MURRAY)) proposed an amendment to the bill, S 2549, supra; as follows:

On page 546, after line 13, add the following:

SEC. 2882. SENSE OF CONGRESS REGARDING LAND TRANSFERS AT MELROSE RANGE, NEW MEXICO, AND YAKIMA TRAINING CENTER, WASHINGTON.

(a) FINDINGS.—Congress makes the following findings:

(1) The Secretary of the Air Force seeks the transfer of 6,713 acres of public domain land within the Melrose Range, New Mexico, from the Department of the Interior to the Department of the Air Force for the continued use of these lands as a military range.

(2) The Secretary of the Army seeks the transfer of 6,640 acres of public domain land within the Yakima Training Center, Washington, from the Department of the Interior to the Department of the Army for military training purposes.

(3) The transfers provide the Department of the Air Force and the Department of the Army with complete land management control of these public domain lands to allow for effective land management, minimize safety concerns, and ensure meaningful training.

(4) The Department of the Interior concurs with the land transfers at Melrose Range and Yakima Training Center.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the land transfers at Melrose Range, New Mexico, and Yakima Training Center, Washington, will support military training, safety, and land management concerns on the lands subject to transfer.

BINGAMAN AMENDMENT NO. 3749

Mr. LEVIN (for Mr. BINGAMAN) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 586, following line 20, add the following:

SEC. 3138. CONSTRUCTION OF NATIONAL NUCLEAR SECURITY ADMINISTRATION OPERATIONS OFFICE COMPLEX.

(a) AUTHORITY FOR DESIGN AND CONSTRUCTION.—Subject to subsection (b), the Administrator of the National Nuclear Security Administration may provide for the design and construction of a new operations office complex for the National Nuclear Security Administration in accordance with the feasibility study regarding such operations office complex conducted under the National Defense Authorization Act for Fiscal Year 2000.

(b) LIMITATION.—The Administrator may not exercise the authority in subsection (a) until the later of—

(1) 30 days after the date on which the plan required by section 3135(a) is submitted to the Committees on Armed Services of the Senate and House of Representatives under that section; or

(2) the date on which the Administrator certifies to Congress that the design and construction of the complex in accordance with the feasibility study is consistent with the plan required by section 3135(i).

(c) BASIS OF AUTHORITY.—The design and construction of the operations office complex authorized by subsection (a) shall be carried out through one or more energy savings performance contracts (ESPC) entered into under this section and in accordance with the provisions of title VIII of the National Energy Policy Conservation Act (42 U.S.C. 8287 et seq.).

(d) PAYMENT OF COSTS.—Amounts for payments of costs associated with the construction of the operations office complex authorized by subsection (a) shall be derived from energy savings and ancillary operation and maintenance savings that result from the replacement of a current Department of Energy operations office complex (as identified in the feasibility study referred to in subsection (a)) with the operations office complex authorized by subsection (a).

CRAPO AMENDMENT NO. 3750

Mr. WARNER (for Mr. CRAPO) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 603, between lines 18 and 19, insert the following:

SEC. . CONCEPTUAL DESIGN FOR SUBSURFACE GEOSCIENCES LABORATORY AT IDAHO NATIONAL ENGINEERING AND ENVIRONMENTAL LABORATORY, IDAHO FALLS, IDAHO.

(a) AUTHORIZATION.—Of the amounts authorized to be appropriated by paragraphs (2) and (3) of section 3102(a), not more than $400,000 shall be available to the Secretary of Energy for purposes of carrying out a conceptual design for a Subsurface Geosciences Laboratory, Idaho Falls, Idaho.

(b) LIMITATION.—None of the funds authorized to be appropriated by section (a) may be obligated until 60 days after the Secretary submits the report required by section (c).

(c) REPORT.—The Secretary of Energy shall submit to the congressional defense committees a report on the proposed Subsurface Geosciences Laboratory, including the following:

(1) The need to conduct mesoscale experiments to meet long-term clean-up requirements at Department of Energy sites.

(2) The possibility of utilizing or modifying an existing structure or facility to house a new mesoscale experimental capability.

(3) The estimated construction cost of the facility.

(4) The estimated annual operating cost of the facility.

(5) How the facility will utilize, integrate, and support the technical expertise, capabilities, and requirements at other Department of Energy and non-Department of Energy facilities.

(6) An analysis of costs, savings, and benefits which are unique to the Idaho National Engineering and Environmental Laboratory.

BENNETT AMENDMENT NO. 3751

Mr. WARNER (for Mr. BENNETT) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 611, after line 21, add the following:

SEC. 3202. LAND TRANSFER AND RESTORATION.

(a) SHORT TITLE.—This section may be cited as the ''Ute-Moab Land Restoration Act''.

(b) TRANSFER OF OIL SHALE RESERVE.—Section 3405 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (10 U.S.C. 7420 note; Public Law 105–261) is amended to read as follows:

''SEC. 3405. TRANSFER OF OIL SHALE RESERVE NUMBERED 2.

''(a) DEFINITIONS.—In this section:

''(1) MAP.—The term ''map'' means the map depicting the boundaries of NOSR–2, to be kept on file and available for public inspection in the offices of the Department of the Interior.

''(2) MOAB SITE.—The term 'Moab site' means the Moab uranium milling site located approximately 3 miles northwest of Moab, Utah, and identified in the Final Environmental Impact Statement issued by the Nuclear Regulatory Commission in March 1996, in conjunction with Source Material License No. SUA 917.

''(3) NOSR–2.—The term 'NOSR–2' means Oil Shale Reserve Numbered 2, as identified on a map on file in the Office of the Secretary of the Interior.

''(4) TRIBE.—The term 'Tribe' means the Ute Indian Tribe of the Uintah and Ouray Indian Reservation.

''(b) CONVEYANCE.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the United States conveys to the Tribe, subject to valid existing rights in effect on the day before the date of enactment of this section, all Federal land within the exterior boundaries of NOSR–2 in fee simple (including surface and mineral rights).

''(2) RESERVATIONS.—The conveyance under paragraph (1) shall not include the following reservations of the United States:

''(A) A 9 percent royalty interest in the value of any oil, gas, other hydrocarbons, and all other minerals from the conveyed land that are produced, saved, and sold, the payments for which shall be made by the Tribe or its designee to the Secretary of Energy during the period that the oil, gas, hydrocarbons, or minerals are being produced, saved, sold, or extracted.

''(B) The portion of the bed of Green River contained entirely within NOSR–2, as depicted on the map.

''(C) The land (including surface and mineral rights) to the west of the Green River within NOSR–2, as depicted on the map.

''(D) A ¼ mile scenic easement on the east side of the Green River within NOSR–2.

''(3) CONDITIONS.—

''(A) MANAGEMENT AUTHORITY.—On completion of the conveyance under paragraph (1), the United States relinquishes all management authority over the conveyed land (including tribal activities conducted on the land).

''(B) NO REVERSION.—The land conveyed to the Tribe under this subsection shall not revert to the United States for management in trust status.

''(C) USE OF EASEMENT.—The reservation of the easement under paragraph (2)(D) shall not affect the right of the Tribe to obtain, use, and maintain access to, the Green River through the use of the road within the easement, as depicted on the map.

''(c) WITHDRAWALS.—Each withdrawal that applies to NOSR–2 and that is in effect on the date of enactment of this section is revoked to the extent that the withdrawal applies to NOSR–2.

''(d) ADMINISTRATION OF RESERVED LAND AND INTERESTS IN LAND.—

''(1) IN GENERAL.—The Secretary of the Interior shall administer the land and interests in land reserved from conveyance under subparagraphs (B) and (C) of subsection (b)(2) in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

''(2) MANAGEMENT PLAN.—Not later than 3 years after the date of enactment of this section, the Secretary shall submit to Congress a land use plan for the management of the land and interests in land referred to in paragraph (1).

''(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this subsection.

''(e) ROYALTY.—

''(1) PAYMENT OF ROYALTY.—

''(A) IN GENERAL.—The royalty interest reserved from conveyance in subsection (b)(2)(A) that is required to be paid by the Tribe shall not include any development, production, marketing, and operating expenses.

''(B) FEDERAL TAX RESPONSIBILITY.—The United States shall bear responsibility for and pay—

''(i) gross production taxes;

''(ii) pipeline taxes; and

''(iii) allocation taxes assessed against the gross production.

''(2) REPORT.—The Tribe shall submit to the Secretary of Energy and to Congress an annual report on resource development and other activities of the Tribe concerning the conveyance under subsection (b).

''(3) FINANCIAL AUDIT.—

''(A) IN GENERAL.—Not later than 5 years after the date of enactment of this section, and every 5 years thereafter, the Tribe shall obtain an audit of all resource development activities of the Tribe concerning the conveyance under subsection (b), as provided under chapter 75 of title 31, United States Code.

''(B) INCLUSION OF RESULTS.—The results of each audit under this paragraph shall be included in the next annual report submitted after the date of completion of the audit.

''(f) RIVER MANAGEMENT.—

''(1) IN GENERAL.—The Tribe shall manage, under Tribal jurisdiction and in accordance with ordinances adopted by the Tribe, land of the Tribe that is adjacent to, and within ¼ mile of, the Green River in a manner that—

''(A) maintains the protected status of the land; and

''(B) is consistent with the government-to-government agreement and in the memorandum of understanding dated February 11, 2000, as agreed to by the Tribe and the Secretary.

''(2) NO MANAGEMENT RESTRICTIONS.—An ordinance referred to in paragraph (1) shall not impair, limit, or otherwise restrict the management and use of any land that is not owned, controlled, or subject to the jurisdiction of the Tribe.

''(3) REPEAL OR AMENDMENT.—An ordinance adopted by the Tribe and referenced in the government-to-government agreement may not be repealed or amended without the written approval of—

''(A) the Tribe; and

''(B) the Secretary.

''(g) PLANT SPECIES.—

''(1) IN GENERAL.—In accordance with a government-to-government agreement between the Tribe and the Secretary, in a manner consistent with levels of legal protection in effect on the date of enactment of this section, the Tribe shall protect, under ordinances adopted by the Tribe, any plant species that is—

''(A) listed as an endangered species or threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533); and

''(B) located or found on the NOSR–2 land conveyed to the Tribe.

''(2) TRIBAL JURISDICTION.—The protection described in paragraph (1) shall be performed solely under tribal jurisdiction

''(h) HORSES.—

''(1) IN GENERAL.—The Tribe shall manage, protect, and assert control over any horse not owned by the Tribe or tribal members that is located or found on the NOSR–2 land conveyed to the Tribe in a manner that is consistent with Federal law governing the management, protection, and control of horses in effect on the date of enactment of this section.

''(2) TRIBAL JURISDICTION.—The management, control, and protection of horses described in paragraph (1) shall be performed solely—

''(A) under tribal jurisdiction; and

''(B) in accordance with a government-to-government agreement between the Tribe and the Secretary.

''(i) REMEDIAL ACTION AT MOAB SITE.—

''(1) INTERIM REMEDIAL ACTION.—

''(A) PLAN.—Not later than 1 year after the date of enactment of this section, the Secretary of Energy shall prepare a plan for remedial action, including ground water restoration, at the uranium milling site near Moab, Utah, under section 102(a) of the Uranium Mill Tailings Radiation Control Act of 1978 (42 U.S.C. 7912(a)).

''(B) COMMENCEMENT OF REMEDIAL ACTION.—The Secretary of Energy shall commence remedial action as soon as practicable after the preparation of the plan.

''(C) TERMINATION OF LICENSE.—The license for the materials at the site issued by the Nuclear Regulatory Commission shall terminate 1 year from the date of enactment of this section, unless the Secretary of Energy determines that the license may be terminated earlier.

''(D) ACTIVITIES OF THE TRUSTEE OF THE MOAB RECLAMATION TRUST.— Until the license referred to in subparagraph (C) terminates, the Trustee of the Moab Reclamation Trust (referred to in this paragraph as the 'Trustee'), subject to the availability of funds appropriated specifically for a purpose described in clauses (i) through (iii) or made available by the Trustee from the Moab Reclamation Trust, may carry out—

''(i) interim measures to reduce or eliminate localized high ammonia concentrations identified by the United States Geological Survey in a report dated March 27, 2000, in the Colorado River;

''(ii) activities to dewater the mill tailings; and

''(iii) other activities, subject to the authority of the Secretary of Energy and the Nuclear Regulatory Commission.

''(E) TITLE; CARETAKING.—Until the date on which the Moab site is sold under paragraph (4), the Trustee—

''(i) shall maintain title to the site; and

''(ii) shall act as a caretaker of the property and in that capacity exercise measures of physical safety consistent with past practice, until the Secretary of Energy relieves the Trustee of that responsibility.

''(2) LIMIT ON EXPENDITURES.—The Secretary shall limit the amounts expended in carrying out the remedial action under paragraph (1) to—

''(A) amounts specifically appropriated for the remedial action in an Act of appropriation; and

''(B) other amounts made available for the remedial action under this subsection.

''(3) RETENTION OF ROYALTIES.—

''(A) IN GENERAL.—The Secretary of Energy shall retain the amounts received as royalties under subsection (e)(1).

''(B) AVAILABILITY.—Amounts referred to in subparagraph (A) shall be available, without further Act of appropriation, to carry out the remedial action under paragraph (1).

''(C) EXCESS AMOUNTS.—On completion of the remedial action under paragraph (1), all remaining royalty amounts shall be deposited in the General Fund of the Treasury.

''(D) EXCLUSION OF NATIONAL SECURITY ACTIVITIES FUNDING.—The Secretary shall not use any funds made available to the Department of Energy for national security activities to carry out the remedial action under paragraph (1).

''(E) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Energy to carry out the remedial action under paragraph (1) such sums as are necessary.

''(4) SALE OF MOAB SITE.—

''(A) IN GENERAL.—If the Moab site is sold after the date on which the Secretary of Energy completes the remedial action under paragraph (1), the seller shall pay to the Secretary of Energy, for deposit in the miscellaneous receipts account of the Treasury, the portion of the sale price that the Secretary determines resulted from the enhancement of the value of the Moab site that is attributable to the completion of the remedial action, as determined in accordance with subparagraph (B).

''(B) DETERMINATION OF ENHANCED VALUE.—The enhanced value of the Moab site referred to in subparagraph (A) shall be equal to the difference between—

''(i) the fair market value of the Moab site on the date of enactment of this section, based on information available on that date; and

''(ii) the fair market value of the Moab site, as appraised on completion of the remedial action.''.

(c) URANIUM MILL TAILINGS.—Section 102(a) of the Uranium Mill Tailings Radiation Control Act of 1978 (42 U.S.C. 7912(a)) is amended by inserting after paragraph (3) the following:

''(4) DESIGNATION AS PROCESSING SITE.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, the Moab uranium milling site (referred to in this paragraph as the 'Moab Site') located approximately 3 miles northwest of Moab, Utah, and identified in the Final Environmental Impact Statement issued by the Nuclear Regulatory Commission in March 1996, in conjunction with Source Material License No. SUA 917, is designated as a processing site.

''(B) APPLICABILITY.—This title applies to the Moab Site in the same manner and to the same extent as to other processing sites designated under this subsection, except that—

''(i) sections 103, 107(a), 112(a), and 115(a) of this title shall not apply;

''(ii) a reference in this title to the date of the enactment of this Act shall be treated as a reference to the date of enactment of this paragraph; and

''(iii) the Secretary, subject to the availability of appropriations and without regard to section 104(b), shall conduct remediation at the Moab site in a safe and environmentally sound manner, including—

''(I) ground water restoration; and

''(II) the removal, to at a site in the State of Utah, for permanent disposition and any necessary stabilization, of residual radioactive material and other contaminated material from the Moab Site and the floodplain of the Colorado River.''.

(d) CONFORMING AMENDMENT.—Section 3406 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (10 U.S.C. 7420 note; Public Law 105–261) is amended by inserting after subsection (e) the following:

''(f) OIL SHALE RESERVE NUMBERED 2.—This section does not apply to the transfer of Oil Shale Reserve Numbered 2 under section 3405.''.

WARNER AMENDMENT NO. 3752

Mr. WARNER proposed an amendment to the bill, S. 2549, supra; as follows:

On page 17, line 17, strike ''$496,749,000'' and insert ''$500,749,000''.

On page 31, between lines 18 and 19, insert the following:

SEC. 126. ANTI-PERSONNEL OBSTACLE BREACHING SYSTEM.

Of the total amount authorized to be appropriated under section 102(c), $4,000,000 is available only for the procurement of the anti-personnel obstacle breaching system.

On page 54, line 16, strike ''$11,973,569,000'' and insert ''$11,969,569,000''.

DODD (AND OTHERS) AMENDMENT NO. 3753

Mr. LEVIN (for Mr. DODD, Mr. BURNS, Mrs. BOXER, Mr. DEWINE, Mr. KERRY, Ms. SNOWE, Mr. LEAHY, Ms. MIKULSKI, Mr. BIDEN, Mr. BINGAMAN, Mr. SARBANES, Mr. SCHUMER, Mr. REID, Mr. LAUTENBERG, Mr. MOYNIHAN, and Mr. KENNEDY) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 415, between lines 2 and 3, insert the following:

SEC. 1061. FIREFIGHTER INVESTMENT AND RESPONSE ENHANCEMENT.

The Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) is amended by adding at the end the following:

''SEC. 33. FIREFIGHTER INVESTMENT AND RESPONSE ENHANCEMENT.

''(a) DEFINITION OF FIREFIGHTING PERSONNEL.—In this section, the term 'firefighting personnel' means individuals, including volunteers, who are firefighters, officers of fire departments, or emergency medical service personnel of fire departments.

''(b) ASSISTANCE PROGRAM.—

''(1) AUTHORITY.—In accordance with this section, the Director may—

''(A) make grants on a competitive basis to fire departments for the purpose of protecting the health and safety of the public and firefighting personnel against fire and fire-related hazards; and

''(B) provide assistance for fire prevention programs in accordance with paragraph (4).

''(2) ESTABLISHMENT OF OFFICE FOR ADMINISTRATION OF ASSISTANCE.—Before providing assistance under paragraph (1), the Director shall establish an office in the Federal Emergency Management Agency that shall have the duties of establishing specific criteria for the selection of recipients of the assistance, and administering the assistance, under this section.

''(3) USE OF FIRE DEPARTMENT GRANT FUNDS.—The Director may make a grant under paragraph (1)(A) only if the applicant for the grant agrees to use the grant funds—

''(A) to hire additional firefighting personnel;

''(B) to train firefighting personnel in firefighting, emergency response, arson prevention and detection, or the handling of hazardous materials, or to train firefighting personnel to provide any of the training described in this subparagraph;

''(C) to fund the creation of rapid intervention teams to protect firefighting personnel at the scenes of fires and other emergencies;

''(D) to certify fire inspectors;

''(E) to establish wellness and fitness programs for firefighting personnel to ensure that the firefighting personnel can carry out their duties;

''(F) to fund emergency medical services provided by fire departments;

''(G) to acquire additional firefighting vehicles, including fire trucks;

''(H) to acquire additional firefighting equipment, including equipment for communications and monitoring;

''(I) to acquire personal protective equipment required for firefighting personnel by the Occupational Safety and Health Administration, and other personal protective equipment for firefighting personnel;

''(J) to modify fire stations, fire training facilities, and other facilities to protect the health and safety of firefighting personnel;

''(K) to enforce fire codes;

''(L) to fund fire prevention programs; or

''(M) to educate the public about arson prevention and detection.

''(4) FIRE PREVENTION PROGRAMS.—

''(A) IN GENERAL.—For each fiscal year, the Director shall use not less than 10 percent of the funds made available under subsection (c)—

''(i) to make grants to fire departments for the purpose described in paragraph (3)(L); and

''(ii) to make grants to, or enter into contracts or cooperative agreements with, national, State, local, or community organizations that are recognized for their experience and expertise with respect to fire prevention or fire safety programs and activities, for the purpose of carrying out fire prevention programs.

''(B) PRIORITY.—In selecting organizations described in subparagraph (A)(ii) to receive assistance under this paragraph, the Director shall give priority to organizations that focus on prevention of injuries to children from fire.

''(5) APPLICATION.—The Director may provide assistance to a fire department or organization under this subsection only if the fire department or organization seeking the assistance submits to the Director an application in such form and containing such information as the Director may require.

''(6) MATCHING REQUIREMENT.—The Director may provide assistance under this subsection only if the applicant for the assistance agrees to match with an equal amount of non-Federal funds 10 percent of the assistance received under this subsection for any fiscal year.

''(7) MAINTENANCE OF EXPENDITURES—The Director may provide assistance under this subsection only if the applicant for the assistance agrees to maintain in the fiscal year for which the assistance will be received the applicant's aggregate expenditures for the uses described in paragraph (3) or (4) at or above the average level of such expenditures in the 2 fiscal years preceding the fiscal year for which the assistance will be received.

''(8) REPORT TO THE DIRECTOR.—The Director may provide assistance under this subsection only if the applicant for the assistance agrees to submit to the Director a report, including a description of how the assistance was used, with respect to each fiscal year for which the assistance was received.

''(9) VARIETY OF FIRE DEPARTMENT GRANT RECIPIENTS.—The Director shall ensure that grants under paragraph (1)(A) for a fiscal year are made to a variety of fire departments, including, to the extent that there are eligible applicants—

''(A) paid, volunteer, and combination fire departments;

''(B) fire departments located in communities of varying sizes; and

''(C) fire departments located in urban, suburban, and rural communities.

''(10) LIMITATION ON EXPENDITURES FOR FIREFIGHTING VEHICLES.—The Director shall

ensure that not more than 25 percent of the assistance made available under this subsection for a fiscal year is used for the use described in paragraph (3)(G).

''(c) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to the Director—

''(A) $100,000,000 for fiscal year 2001;

''(B) $200,000,000 for fiscal year 2002;

''(C) $400,000,000 for fiscal year 2003;

''(D) $600,000,000 for fiscal year 2004;

''(E) $800,000,000 for fiscal year 2005; and

''(F) $1,000,000,000 for fiscal year 2006.

''(2) LIMITATION ON ADMINISTRATIVE COSTS.—Of the amounts made available under paragraph (1) for a fiscal year, the Director may use not more than 10 percent for the administrative costs of carrying out this section.''.

WARNER AMENDMENT NO. 3754

Mr. WARNER proposed an amendment to the bill, S. 2549, supra; as follows:

On page 58, between lines 7 and 8, insert the following:

SEC. 313. CLOSE-IN WEAPON SYSTEM OVERHAULS.

Of the total amount authorized to be appropriated by section 301(2), $391,806,000 is available for weapons maintenance.

The total amount authorized to be appropriated by section 301(5) for Spectrum data base upgrades is reduced by $10 million.

GORTON AMENDMENT NO. 3755

Mr. WARNER (for Mr. GORTON) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 556, line 24, strike ''$5,501,824,000'' and insert ''$5,651,824,000''.

On page 559, line 8, strike ''$3,028,457,000'' and insert ''$3,178,457,000''.

On page 559, line 11, strike ''$2,533,725,000'' and insert ''$2,683,725,000''.

On page 564, line 8, strike ''$540,092,000'' and insert ''$390,092,000''.

On page 564, line 13, strike ''$450,000,000'' and insert ''$300,000,000''.

On page 603, between lines 18 and 19, insert the following:

SEC. 3156. TANK WASTE REMEDIATION SYSTEM, HANFORD RESERVATION, RICHLAND, WASHINGTON.

(a) FUNDS AVAILABLE.—Of the amount authorized to be appropriated by section 3102, $150,000,000 shall be available to carry out an accelerated cleanup and waste management program at the Department of Energy Hanford Site in Richland, Washington.

(b) REPORT.—Not later than December 15, 2000, the Secretary of Energy shall submit to Congress a report on the Tank Waste Remediation System Project at the Hanford Site. The report shall include the following:

(1) A proposed plan for processing and stabilizing all nuclear waste located in the Hanford Tank Farm.

(2) A proposed schedule for carrying out the plan.

(3) The total estimated cost of carrying out the plan.

(4) A description of any alternative options to the proposed plan and a description of the costs and benefits of each such option.

KYL AMENDMENT NO. 3756

Mr. WARNER (for Mr. KYL) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 547, line 16, strike ''$6,214,835,000'' and insert ''$6,289,835,000''.

On page 547, line 19, strike $4,672,800,000'' and insert ''$4,747,800,000''.

On page 547, line 24, strike ''$3,887,383,000'' and insert ''$3,822,383,000''.

On page 548, line 3, strike ''$1,496,982,000'' and insert ''$1,471,982,000''.

On page 548, line 5, strike ''$1,547,798,000'' and insert ''$1,507,798,000''.

On page 549, line 2, strike ''$448,173,000'' and insert ''$588,173,000''.

On page 552, line 7, strike ''$74,100,000'' and insert ''$214,100,000''.

On page 560, line 23, strike ''$141,317,000'' and insert ''$216,317,000''.

On page 603, between lines 18 and 19, insert the following:

SEC. 3156. REPORT ON NATIONAL IGNITION FACILITY, LAWRENCE LIVERMORE NATIONAL LABORATORY, LIVERMORE, CALIFORNIA.

(a) NEW BASELINE.—(1) Not more than 50 percent of the funds available for the national ignition facility (Project 96–D–111) may be obligated or expended until the Secretary of Energy submits to the Committees on Armed Services of the Senate and House of Representatives a report setting forth a new baseline plan for the completion of the national ignition facility.

(2) The report shall include a detailed, year-by-year breakdown of the funding required for completion of the facility, as well as projected dates for the completion of program milestones, including the date on which the first laser beams are expected to become operational.

(b) COMPTROLLER GENERAL REVIEW OF NIF PROGRAM.—(1) The Comptroller General shall conduct a thorough review of the national ignition facility program.

(2) Not later than March 31, 2001, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the review conducted under paragraph (1). The report shall include—

(A) an analysis of—

(i) the relationship of the national ignition facility program to other key components of the Stockpile Stewardship Program; and

(ii) the potential impact of delays in the national ignition facility program, and of a failure to complete key program objectives of the program, on the other key components of the Stockpile Stewardship Program, such as the Advanced Strategic Computing Initiative Program;

(B) a detailed description and analysis of the funds spent as of the date of the report on the national ignition facility program; and

(C) an assessment whether Lawrence Livermore National Laboratory has established a new baseline plan for the national ignition facility program with clear goals and achievable milestones for that program.

FEINSTEIN AMENDMENT NO. 3757

Mr. LEVIN (for Mrs. FEINSTEIN) proposed an amendment to the bill, S. 2549, supra; as follows:

At the appropriate place, insert the following:

SEC. . BREAST CANCER STAMP EXTENSION.

Section 414(g) of title 39, United States Code, is amended by striking ''2-year'' and inserting ''4-year''.

KERRY AMENDMENT NO. 3758

(Ordered to lie on the table.)

Mr. KERRY submitted an amendment intended to be proposed by him to the bill, S. 2549, supra; as follows:

On page 85, strike line 1 and all that follows through page 87, line 13.

FEINGOLD (AND OTHERS) AMENDMENT NO. 3759

(Ordered to lie on the table.)

Mr. FEINGOLD (for himself, Mr. HARKIN, and Mr. WELLSTONE) submitted an amendment intended to be proposed by them to the bill, S. 2549, supra; as follows:

On page 31, between lines 18 and 19, insert the following:

SEC. 126. D5 SUBMARINE-LAUNCHED BALLISTIC MISSILE PROGRAM.

(a) REDUCTION OF AMOUNT FOR PROGRAM.—Notwithstanding any other provision of this Act, the total amount authorized to be appropriated by this Act is reduced by $462,733,000.

(b) PROHIBITION.—None of the remaining funds authorized to be appropriated by this Act after the reduction made by subsection (a) may be used for the procurement of D5 submarine-launched ballistic missiles or components for D5 missiles.

(c) TERMINATION OF PROGRAM.—The Secretary of Defense shall terminate production of D5 submarine ballistic missiles under the D5 submarine-launched ballistic missile program after fiscal year 2001.

(d) PAYMENT OF TERMINATION COSTS.—Funds available on or after the date of the enactment of this Act for obligation for the D5 submarine-launched ballistic missile program may be obligated for production under that program only for payment of the costs associated with the termination of production under this Act.

(e) INAPPLICABILITY TO MISSILES IN PRODUCTION.—Subsections (c) and (d) do not apply to missiles in production on the date of the enactment of this Act.

DOMENICI (AND OTHERS) AMENDMENT NO. 3760

(Ordered to lie on the table.)

Mr. DOMENICI (for himself, Mr. LEVIN, Mr. LUGAR, Mr. BIDEN, Mr. BINGAMAN, Mr. CRAIG, Mr. THOMPSON, and Mr. HAGEL) submitted an amendment intended to be proposed by them to the bill, S. 2549, supra; as follows:

On page 610, between lines 13 and 14, insert the following:

Subtitle F—Russian Nuclear Complex Conversion

SEC. 3191. SHORT TITLE.

This subtitle may be cited as the ''Russian Nuclear Weapons Complex Conversion Act of 2000''.

SEC. 3192. FINDINGS.

Congress makes the following findings:

(1) The Russian nuclear weapons complex has begun closure and complete reconfiguration of certain weapons complex plants and productions lines. However, this work is at an early stage. The major impediments to downsizing have been economic and social conditions in Russia. Little information about this complex is shared, and 10 of its most sensitive cities remain closed. These cities house 750,000 people and employ approximately 150,000 people in nuclear military facilities. Although the Russian Federation Ministry of Atomic Energy has announced the need to significantly downsize its workforce, perhaps by as much as 50 percent, it has been very slow in accomplishing this goal. Information on the extent of any progress is very closely held.

(2) The United States, on the other hand, has significantly downsized its nuclear weapons complex in an open and transparent manner. As a result, an enormous asymmetry now exists between the United States

and Russia in nuclear weapon production capacities and in transparency of such capacities. It is in the national security interest of the United States to assist the Russian Federation in accomplishing significant reductions in its nuclear military complex and in helping it to protect its nuclear weapons, nuclear materials, and nuclear secrets during such reductions. Such assistance will accomplish critical nonproliferation objectives and provide essential support towards future arms reduction agreements. The Russian Federation's program to close and reconfigure weapons complex plants and production lines will address, if it is implemented in a significant and transparent manner, concerns about the Russian Federation's ability to quickly reconstitute its arsenal.

(3) Several current programs address portions of the downsizing and nuclear security concerns. The Nuclear Cities Initiative was established to assist Russia in creating job opportunities for employees who are not required to support realistic Russian nuclear security requirements. Its focus has been on creating commercial ventures that can provide self-sustaining jobs in three of the closed cities. The current scope and funding of the program are not commensurate with the scale of the threats to the United States sought to be addressed by the program.

(4) To effectively address threats to United States national security interests, progress with respect to the nuclear cities must be expanded and accelerated. The Nuclear Cities Initiative has laid the groundwork for an immediate increase in investment which offers the potential for prompt risk reduction in the cities of Sarov, Snezhinsk, and Zheleznogorsk, which house four key Russian nuclear facilities. Furthermore, the Nuclear Cities Initiative has made considerable progress with the limited funding available. However, to gain sufficient advocacy for additional support, the program must demonstrate—

(A) rapid progress in conversion and restructuring; and

(B) an ability for the United States to track progress against verifiable milestones that support a Russian nuclear complex consistent with their future national security requirements.

(5) Reductions in the nuclear weapons-grade material stocks in the United States and Russia enhance prospects for future arms control agreements and reduce concerns that these materials could lead to proliferation risks. Confidence in both nations will be enhanced by knowledge of the extent of each nation's stockpiles of weapons-grade materials. The United States already makes this information public.

(6) Many current programs contribute to the goals stated herein. However, the lack of programmatic coordination within and among United States Government agencies impedes the capability of the United States to make rapid progress. A formal single point of coordination is essential to ensure that all United States programs directed at cooperative threat reduction, nuclear materials reduction and protection, and the downsizing, transparency, and nonproliferation of the nuclear weapons complex effectively mitigate the risks inherent in the Russian Federation's military complex.

(7) Specialists in the United States and the former Soviet Union trained in nonproliferation studies can significantly assist in the downsizing process while minimizing the threat presented by potential proliferation of weapons materials or expertise.

SEC. 3193. EXPANSION AND ENHANCEMENT OF NUCLEAR CITIES INITIATIVE.

(a) IN GENERAL.—The Secretary of Energy shall, in accordance with the provisions of this section, take appropriate actions to expand and enhance the activities under the Nuclear Cities Initiative in order to—

(1) assist the Russian Federation in the downsizing of the Russian Nuclear Complex; and

(2) coordinate the downsizing of the Russian Nuclear Complex under the Initiative with other United States nonproliferation programs.

(b) ENHANCED USE OF MINATOM TECHNOLOGY AND RESEARCH AND DEVELOPMENT SERVICES.—In carrying out actions under this section, the Secretary shall facilitate the enhanced use of the technology, and the research and development services, of the Russia Ministry of Atomic Energy (MINATOM) by—

(1) fostering the commercialization of peaceful, non-threatening advanced technologies of the Ministry through the development of projects to commercialize research and development services for industry and industrial entities; and

(2) authorizing the Department of Energy, and encouraging other departments and agencies of the United States Government, to utilize such research and development services for activities appropriate to the mission of the Department, and such departments and agencies, including activities relating to—

(A) nonproliferation (including the detection and identification of weapons of mass destruction and verification of treaty compliance);

(B) global energy and environmental matters; and

(C) basic scientific research of benefit to the United States.

(c) ACCELERATION OF NUCLEAR CITIES INITIATIVE.—(1) In carrying out actions under this section, the Secretary shall accelerate the Nuclear Cities Initiative by implementing, as soon as practicable after the date of the enactment of this Act, programs at the nuclear cities referred to in paragraph (2) in order to convert significant portions of the activities carried out at such nuclear cities from military activities to civilian activities.

(2) The nuclear cities referred to in this paragraph are the following:

(A) Sarov (Arzamas–16).

(B) Snezhinsk (Chelyabinsk–70).

(C) Zheleznogorsk (Krasnoyarsk–26).

(3) To advance nonproliferation and arms control objectives, the Nuclear Cities Initiative is encouraged to begin planning for accelerated conversion, commensurate with available resources, in the remaining nuclear cities.

(4) Before implementing a program under paragraph (1), the Secretary shall establish appropriate, measurable milestones for the activities to be carried out in fiscal year 2001.

(d) PLAN FOR RESTRUCTURING THE RUSSIAN NUCLEAR COMPLEX.—(1) The President, acting through the Secretary of Energy, is urged to enter into negotiations with the Russian Federation for purposes of the development by the Russian Federation of a plan to restructure the Russian Nuclear Complex in order to meet changes in the national security requirements of Russia by 2010.

(2) The plan under paragraph (1) should include the following:

(A) Mechanisms to achieve a nuclear weapons production capacity in Russia that is consistent with the obligations of Russia under current and future arms control agreements.

(B) Mechanisms to increase transparency regarding the restructuring of the nuclear weapons complex and weapons-surplus nuclear materials inventories in Russia to the levels of transparency for such matters in the United States, including the participation of Department of Energy officials with expertise in transparency of such matters.

(C) Measurable milestones that will permit the United States and the Russian Federation to monitor progress under the plan.

(e) ENCOURAGEMENT OF CAREERS IN NONPROLIFERATION.—(1) In carrying out actions under this section, the Secretary shall carry out a program to encourage students in the United States and in the Russian Federation to pursue a career in an area relating to nonproliferation.

(2) Of the amounts under subsection (f), up to $2,000,000 shall be available for purposes of the program under paragraph (1).

(f) FUNDING FOR FISCAL YEAR 2001.—(1) There is hereby authorized to be appropriated for the Department of Energy for fiscal year 2001, $40,000,000 for purposes of the Nuclear Cities Initiative, including activities under this section.

(2) The amount authorized to be appropriated by section 101(5) for other procurement for the Army is hereby reduced by $22,500,000, with the amount of the reduction to be allocated to the Close Combat Tactical Trainer.

(g) SENSE OF CONGRESS REGARDING FUNDING FOR FISCAL YEARS AFTER FISCAL YEAR 2001.—It is the sense of Congress that the availability of funds for the Nuclear Cities Initiative in fiscal years after fiscal year 2001 should be contingent upon—

(1) demonstrable progress in the programs carried out under subsection (c), as determined utilizing the milestones required under paragraph (4) of that subsection; and

(2) the development and implementation of the plan required by subsection (d).

SEC. 3194. SENSE OF CONGRESS ON THE ESTABLISHMENT OF A NATIONAL COORDINATOR FOR NONPROLIFERATION MATTERS.

It is the sense of Congress that—

(1) there should be a National Coordinator for Nonproliferation Matters to coordinate—

(A) the Nuclear Cities Initiative;

(B) the Initiatives for Proliferation Prevention program;

(C) the Cooperative Threat Reduction programs;

(D) the materials protection, control, and accounting programs; and

(E) the International Science and Technology Center; and

(2) the position of National Coordinator for Nonproliferation Matters should be similar, regarding nonproliferation matters, to the position filled by designation of the President under section 1441(a) of the Defense Against Weapons of Mass Destruction Act of 1996 (title XIV of Public Law 104–201; 110 Stat. 2727; 50 U.S.C. 2351(a)).

SEC. 3195. DEFINITIONS.

In this subtitle:

(1) NUCLEAR CITY.—The term ''nuclear city'' means any of the closed nuclear cities within the complex of the Russia Ministry of Atomic Energy (MINATOM) as follows:

(A) Sarov (Arzamas–16).

(B) Zarechnyy (Penza–19).

(C) Novoural'sk (Sverdlovsk–44).

(D) Lesnoy (Sverdlovsk–45).

(E) Ozersk (Chelyabinsk–65).

(F) Snezhinsk (Chelyabinsk–70).

(G) Trechgornyy (Zlatoust–36).

(H) Seversk (Tomsk–7).

(I) Zhelenznogorsk (Krasnoyarsk–26).

(J) Zelenogorsk (Krasnoyarsk–45).

(2) RUSSIAN NUCLEAR COMPLEX.—The term ''Russian Nuclear Complex'' refers to all of the nuclear cities.

BRYAN (AND ROBB) AMENDMENT NO. 3761

(Ordered to lie on the table.)

Mr. BRYAN (for himself and Mr. ROBB) submitted an amendment intended to be proposed by them to the bill, S. 2549, supra; as follows:

On page 236, between lines 6 and 7, insert the following:

SEC. 646. CONCURRENT PAYMENT TO SURVIVING SPOUSES OF DISABILITY AND INDEMNITY COMPENSATION AND ANNUITIES UNDER SURVIVOR BENEFIT PLAN.

(a) CONCURRENT PAYMENT.—Section 1450 of title 10, United States Code, is amended by striking subsection (c).

(b) CONFORMING AMENDMENTS.—That section is further amended by striking subsections (e) and (k).

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to the payment of annuities under the Survivor Benefit Plan under subchapter II of chapter 73 of title 10, United States Code, for months beginning on or after that date.

(d) RECOMPUTATION OF ANNUITIES.—The Secretary of Defense shall provide for the readjustment of any annuities to which subsection (c) of section 1450 of title 10, United States Code, applies as of the date before the date of the enactment of this Act, as if the adjustment otherwise provided for under such subsection (c) had never been made.

(e) PROHIBITION ON RETROACTIVE BENEFITS.—No benefits shall be paid to any person by virtue of the amendments made by this section for any period before the effective date of the amendments as specified in subsection (c).

HARKIN AMENDMENT NO. 3762

(Ordered to lie on the table.)

Mr. HARKIN submitted an amendment intended to be proposed by him to the bill, S. 2549, supra; as follows:

On page 415, between lines 2 and 3, insert the following:

SEC. 1061. SECRECY POLICIES AND WORKER HEALTH.

(a) FINDINGS.—Congress makes the following findings:

(1) Workers at some nuclear weapons production facilities in the United States have been exposed to radioactive and other hazardous substances that could harm their health.

(2) Some workers at the nuclear weapons facility at the Iowa Army Ammunition Plant from 1947–1975 also worked for a United States Army plant at the same site and under the same contractor.

(3) The policy of the Department of Defense to neither confirm nor deny the presence of nuclear weapons at any site has prevented the Department from even acknowledging the reason for some worker exposures to radioactive or other hazardous substances, and secrecy oaths have discouraged some workers from discussing possible exposures with their health care providers and other appropriate officials.

(4) The policy of the Department to neither confirm nor deny has been applied to sites where nuclear weapons are widely known to have been present, where the past presence of nuclear weapons were last present more than 25 years ago.

(5) The Department has, in the past, varied from its policy by publicly acknowledging that the United States had nuclear weapons in Alaska, Cuba, Guam, Hawaii, Johnston Islands, Midway, Puerto Rico, the United Kingdom, and West Germany, and has denied having weapons in Iceland.

(6) It is critical to maintain national secrets regarding nuclear weapons, but more openness on nuclear weapons activities now consigned to history is needed to protect the health of former workers and the public.

(b) REVIEW OF SECRECY POLICIES.—The Secretary of Defense is directed to change Department secrecy oaths and policies, within appropriate national security constraints, to ensure that such policies do not prevent or discourage current and former workers at nuclear weapons facilities who may have been exposed to radioactive and other hazardous substances from discussing those exposures with their health care providers and with other appropriate officials. The policies amended should include the policy to neither confirm nor deny the presence of nuclear weapons as it is applied to former U.S. nuclear weapons facilities that no longer contain nuclear weapons or materials.

(c) NOTIFICATION OF POTENTIAL VICTIMS.—The Secretary of Defense is directed to notify people who are or were bound by Department secrecy oaths or policies, and who may have been exposed to radioactive or hazardous substances at nuclear weapons facilities, of any likely health risks and of how they can discuss the exposures with their health care providers and other appropriate officials without violating secrecy oaths or policies.

BINGAMAN AMENDMENT NO. 3763

(Ordered to lie on the table.)

Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill, S. 2549, supra; as follows:

On page 239, strike lines 3 through 8 and insert the following:

SEC. 655. PAYMENT OF GRATUITY TO CERTAIN VETERANS OF BATAAN AND CORREGIDOR.

(a) PAYMENT.—The Secretary of Veterans Affairs shall pay a gratuity to each covered veteran, or to the surviving spouse of such covered veteran, in the amount of $20,000.

CRAPO AMENDMENT NO. 3764

(Ordered to lie on the table.)

Mr. CRAPO submitted an amendment intended to be proposed by him to the bill, S. 2549, supra; as follows:

On page 603, between lines 18 and 19, insert the following:

SEC. . CONCEPTUAL DESIGN FOR SUBSURFACE GEOSCIENCES LABORATORY AT IDAHO NATIONAL ENGINEERING AND ENVIRONMENTAL LABORATORY, IDAHO FALLS, IDAHO.

(a) AUTHORIZATION.—Of the amounts to be appropriated by paragraphs (2) and (3) of section 3102(a), not more than $400,000 shall be available to the Secretary of Energy for purposes of carrying out a conceptual design for a Subsurface Geosciences Laboratory at Idaho National Engineering and Environmental Laboratory, Idaho Falls, Idaho.

(b) LIMITATION.—None of the funds authorized to be appropriated by section (a) may be obligated until 60 days after the Secretary submits the report required by section (c).

(c) REPORT.—The Secretary of Energy shall submit to the congressional defense committees a report on the proposed Subsurface Geosciences Laboratory, including the following:

(1) The need to conduct mesoscale experiments to meet long-term clean-up requirements at Department of Energy sites.

(2) The possibility of utilizing or modifying an existing structure or facility to house a new mesoscale experimental capability.

(3) The estimated construction cost of the facility.

(4) The estimated annual operating cost of the facility.

(5) How the facility will utilize, integrate, and support the technical expertise, capabilities, and requirements at other Department of Energy and non-Department of Energy facilities.

(6) An analysis of costs, savings, and benefits which are unique to the Idaho National Engineering and Environmental Laboratory.

SMITH OF NEW HAMPSHIRE AMENDMENT NO. 3765

(Ordered to lie on the table.)

Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill, S. 2549, supra; as follows:

On page 415, between lines 2 and 3, insert the following:

SEC. 1061. ADDITIONAL MATTERS FOR ANNUAL REPORT ON TRANSFERS OF MILITARILY SENSITIVE TECHNOLOGY TO COUNTRIES AND ENTITIES OF CONCERN.

Section 1402(B) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 798) is amended by adding at the end the following:

''(4) The status of the implementation or other disposition of recommendations included in reports of audits by Inspectors General that have been set forth in previous annual reports under this section.''.

HARKIN AMENDMENT NO. 3766

(Ordered to lie on the table.)

Mr. HARKIN submitted an amendment intended to be proposed by him to the bill, S. 2549, supra; as follows:

On page 415, between lines 2 and 3, insert the following:

SEC. 1061. SECRECY POLICIES AND WORKER HEALTH.

(a) FINDINGS.—Congress makes the following findings:

(1) Workers at some nuclear weapons production facilities in the United States have been exposed to radioactive and other hazardous substances that could harm their health.

(2) Some workers at the nuclear weapons facility at the Iowa Army Ammunition Plant from 1947–1975 also worked for a United States Army plant at the same site and under the same contractor.

(3) The policy of the Department of Defense to neither confirm nor deny the presence of nuclear weapons at any site has prevented the Department from even acknowledging the reason for some worker exposures to radioactive or other hazardous substances, and secrecy oaths have discouraged some workers from discussing possible exposures with their health care providers and other appropriate officials.

(4) The policy of the Department to neither confirm nor deny has been applied to sites where nuclear weapons are widely known to have been present, where the past presence of nuclear weapons has been publicly discussed by other federal agencies, and where the nuclear weapons were last present more than 25 years ago.

(5) The Department has, in the past, varied from its policy by publicly acknowledging that the United States had nuclear weapons in Alaska, Cuba, Guam, Hawaii, Johnston Islands, Midway, Puerto Rico, the United Kingdom, and West Germany, and has denied having weapons in Iceland.

(6) It is critical to maintain national secrets regarding nuclear weapons, but more openness on nuclear weapons activities now consigned to history is needed to protect the health of former workers and the public.

(b) REVIEW OF SECRECY POLICIES.—The Secretary of Defense is directed to change Department secrecy oaths and policies, within appropriate national security constraints, to ensure that such policies do not prevent or discourage current and former workers at nuclear weapons facilities who may have been exposed to radioactive and other hazardous substances from discussing those exposures with their health care providers and with other appropriate officials. The policies amended should include the policy to neither confirm nor deny the presence of nuclear weapons as it is applied to former U.S. nuclear weapons facilities that no longer contain nuclear weapons or materials.

(c) NOTIFICATION OF POTENTIAL VICTIMS.—The Secretary of Defense is directed to notify people who are or were bound by Department secrecy oaths or policies, and who may have been exposed to radioactive or hazardous substances at nuclear weapons facilities, of any likely health risks and of how they can discuss the exposures with their health care providers and other appropriate officials without violating secrecy oaths or policies.

BYRD (AND OTHERS) AMENDMENT NO. 3767

(Ordered to lie on the table.)

Mr. BYRD (for himself, Mr. WARNER, Mr. LEVIN, Mr. HOLLINGS, Mr. HELMS, Mr. BREAUX, Mr. HATCH, and Mr. CAMPBELL) submitted an amendment intended to be proposed by them to the bill, S. 2549, supra; as follows:

On page 415, between lines 2 and 3, insert the following:

SEC. 1061. ANNUAL REPORT ON NATIONAL SECURITY IMPLICATIONS OF UNITED STATES-CHINA TRADE RELATIONSHIP.

(a) IN GENERAL.—Section 127(k) of the Trade Deficit Review Commission Act (19 U.S.C. 2213 note) is amended to read as follows:

''(k) UNITED STATES-CHINA NATIONAL SECURITY IMPLICATIONS.—

''(1) IN GENERAL.—Upon submission of the report described in subsection (e), the Commission shall continue for the purpose of monitoring, investigating, and reporting to Congress on the national security implications of the bilateral trade and economic relationship between the United States and the People's Republic of China.

''(2) ANNUAL REPORT.—Not later than March 1, 2001, and annually thereafter, the Commission shall submit a report to Congress, in both unclassified and classified form, regarding the national security implications and impact of the bilateral trade and economic relationship between the United States and the People's Republic of China. The report shall include a full analysis, along with conclusions and recommendations for legislative and administrative actions, of the national security implications for the United States of the trade and current balances with the People's Republic of China in goods and services, financial transactions, and technology transfers. The Commission shall also take into account patterns of trade and transfers through third countries to the extent practicable.

''(3) CONTENTS OF REPORT.—The report described in paragraph (2) shall include, at a minimum, a full discussion of the following:

''(A) The portion of trade in goods and services that the People's Republic of China dedicates to military systems or systems of a dual nature that could be used for military purposes.

''(B) An analysis of the statements and writing of the People's Republic of China officials and officially-sanctioned writings that bear on the intentions of the Government of the People's Republic of China regarding the pursuit of military competition with, and leverage over, the United States and the Asian allies of the United States.

''(C) The military actions taken by the Government of the People's Republic of China during the preceding year that bear on the national security of the United States and the Asian allies of the United States.

''(D) The acquisition by the Government of the People's Republic of China and entities controlled by the Government of advanced military technologies through United States trade and technology transfers.

''(E) Any transfers, other than those identified under subparagraph (D), to the military systems of the People's Republic of China made by United States firms and United States-based multinational corporations.

''(F) The use of financial transactions, capital flow, and currency manipulations that affect the national security interests of the United States.

''(G) Any action taken by the Government of the People's Republic of China in the context of the World Trade Organization that is adverse to the United States national security interests.

''(H) Patterns of trade and investment between the People's Republic of China and its major trading partners, other than the United States, that appear to be substantively different from trade and investment patterns with the United States and whether the differences constitute a security problem for the United States.

''(I) The extent to which the trade surplus of the People's Republic of China with the United States is dedicated to enhancing the military budget of the People's Republic of China.

''(J) The overall assessment of the state of the security challenges presented by the People's Republic of China to the United States and whether the security challenges are increasing or decreasing from previous years.

''(3) NATIONAL DEFENSE WAIVER.—The report described in paragraph (2) shall include recommendations for action by Congress or the President, or both, including specific recommendations for the United States to invoke Article XXI (relating to security exceptions) of the General Agreement on Tariffs and Trade Act of 1994 with respect to the People's Republic of China, as a result of any adverse impact on the national security interests of the United States.''.

(b) CONFORMING AMENDMENTS.—

(1) NAME OF COMMISSION.—Section 127(c)(1) of the Trade Deficit Review Commission Act (19 U.S.C. 2213 note) is amended by striking ''Trade Deficit Review Commission'' and inserting ''United States-China Security Review Commission''.

(2) QUALIFICATIONS OF MEMBERS.—Section 127(c)(3) of such Act (19 U.S.C. 2213 note) is amended by adding at the end the following new subparagraph:

''(C) SPECIAL CONSIDERATIONS.—For the period beginning after December 1, 2000, consideration shall also be given to the appointment of persons with expertise and experience in national security matters and United States-China relations.''.

(3) PERIOD OF APPOINTMENT.—Section 127(c)(3)(A) of such Act (19 U.S.C. 2213 note) is amended to read as follows:

''(A) IN GENERAL.—

''(i) APPOINTMENT BEGINNING WITH 107th CONGRESS.—Beginning with the 107th Congress and each new Congress thereafter, members shall be appointed not later than 30 days after the date on which Congress convenes. Members may be reappointed for additional terms of service.

''(ii) TRANSITION.—Members serving on the Commission shall continue to serve until such time as new members are appointed.''.

(4) TERMINOLOGY.—

(A) Section 127(c)(6) of such Act (19 U.S.C. 2213 note) is amended by striking ''Chairperson'' and inserting ''Chairman''.

(B) Section 127(g) of such Act (19 U.S.C. 2213 note) is amended by striking ''Chairperson'' each place it appears and inserting ''Chairman''.

(5) CHAIRMAN AND VICE CHAIRMAN.—Section 127(c)(7) of such Act (19 U.S.C. 2213 note) is amended—

(A) by striking ''Chairperson'' and ''vice chairperson'' in the heading and inserting ''Chairman'' and ''vice chairman'';

(B) by striking ''chairperson'' and ''vice chairperson'' in the text and inserting ''Chairman'' and ''Vice Chairman''; and

(C) by inserting ''at the beginning of each new Congress'' before the end period.

(6) HEARINGS.—Section 127(f)(1) of such Act (19 U.S.C. 2213 note) is amended to read as follows:

''(1) HEARINGS.—

''(A) IN GENERAL.—The Commission or, at its direction, any panel or member of the Commission, may for the purpose of carrying out the provisions of this Act, hold hearings, sit and act at times and places, take testimony, receive evidence, and administer oaths to the extent that the Commission or any panel or member considers advisable.

''(B) INFORMATION.—The Commission may secure directly from the Department of Defense, the Central Intelligence Agency, and any other Federal department or agency information that the Commission considers necessary to enable the Commission to carry out its responsibilities under this Act.''.

''(C) SECURITY.—The Office of Senate Security shall provide classified storage and meeting and hearing spaces, when necessary, for the Commission.

''(D) SECURITY CLEARANCES.—All members of the Commission and appropriate staff shall be sworn and hold appropriate security clearances.''.

(7) APPROPRIATIONS.—Section 127(i) of such Act (19 U.S.C. 2213 note) is amended to read as follows:

''(i) AUTHORIZATION.—

''(1) IN GENERAL.—There are authorized to be appropriated to the Commission for fiscal year 2001, and each fiscal year thereafter, such sums as may be necessary to enable it to carry out its functions. Appropriations to the Commission are authorized to remain available until expended.

''(2) FOREIGN TRAVEL FOR OFFICIAL PURPOSES.—Foreign travel for official purposes by members and staff of the Commission may be authorized by either the Chairman or the Vice Chairman.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on December 1, 2000.

COLLINS AMENDMENT NO. 3768

(Ordered to lie on the table.)

Ms. COLLINS submitted an amendment intended to be proposed by her to the bill, S. 2549, supra; as follows:

On page 32, after line 24, add the following:

SEC. 142. AGLI/STRIKER WEAPONS FOR SPECIAL OPERATIONS FORCES.

(a) INCREASE IN AUTHORIZATION FOR PROCUREMENT, DEFENSE-WIDE.—The amount authorized to be appropriated by section 104 for procurement, Defense-wide is hereby increased by $6,000,000.

(b) AVAILABILITY OF AMOUNT.—Of the amount authorized to be appropriated by

section 104, as increased by subsection (a), $6,000,000 shall be available for SOF Small Arms & Weapons for procurement of low rate initial production units (LRIP units) of the AGLI/STRIKER weapon in order to facilitate the early fielding of AGLI/STRIKER weapons to Special Operations Forces (SOF).

BYRD AMENDMENT NO. 3769

(Ordered to lie on the table.)

Mr. BYRD submitted an amendment intended to be proposed by him to the bill, S. 2549, supra; as follows:

Strike section 910.

BINGAMAN (AND OTHERS) AMENDMENT NO. 3770

(Ordered to lie on the table.)

Mr. BINGAMAN (for himself, Mr. DOMENICI, Mrs. MURRAY, Mr. GORTON, Mr. THOMPSON, Mr. FRIST, and Mr. MURKOWSKI) submitted an amendment intended to be proposed by them to the bill, S. 2549, supra; as follows:

At the appropriate place in Title XXXI, add the following subtitle:

Subtitle —National Laboratories Partnership Improvement Act

SEC. 31 1. SHORT TITLE.

This subtitle may be cited as the ''National Laboratories Partnership Improvement Act of 2000''.

SEC. 31 2. DEFINITIONS.

For purposes of this subtitle—

(1) the term ''Department'' means the Department of Energy;

(2) the term ''departmental mission'' means any of the functions vested in the Secretary of Energy by the Department of Energy Organization Act (42 U.S.C. 7101 et seq.) or other law;

(3) the term ''institution of higher education'' has the meaning given such term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a));

(4) the term ''National Laboratory'' means any of the following institutions owned by the Department of Energy—

(A) Argonne National Laboratory;

(B) Brookhaven National Laboratory;

(C) Idaho National Engineering and Environmental Laboratory;

(D) Lawrence Berkeley National Laboratory;

(E) Lawrence Livermore National Laboratory;

(F) Los Alamos National Laboratory;

(G) National Renewable Energy laboratory;

(H) Oak Ridge National Laboratory;

(I) Pacific Northwest National Laboratory; or

(J) Sandia National Laboratory;

(5) the term ''facility'' means any of the following institutions owned by the Department of Energy—

(A) Ames Laboratory;

(B) East Tennessee Technology Park;

(C) Environmental Measurement Laboratory;

(D) Fermi National Accelerator Laboratory;

(E) Kansas City Plant;

(F) National Energy Technology Laboratory;

(G) Nevada Test Site;

(H) Princeton Plasma Physics Laboratory;

(I) Savannah River Technology Center;

(J) Stanford Linear Accelerator Center;

(K) Thomas Jefferson National Accelerator Facility;

(L) Waste Isolation Pilot Plant;

(M) Y–12 facility at Oak Ridge National Laboratory; or

(N) other similar organization of the Department designated by the Secretary that engages in technology transfer, partnering, or licensing activities;

(6) the term ''nonprofit institution'' has the meaning given such term in section 4 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3703(5));

(7) the term ''Secretary'' means the Secretary of Energy;

(8) the term ''small business concern'' has the meaning given such term in section 3 of the Small Business Act (15 U.S.C. 632);

(9) the term ''technology-related business concern'' means a for-profit corporation, company, association, firm, partnership, or small business concern that—

(A) conducts scientific or engineering research,

(B) develops new technologies,

(C) manufactures products based on new technologies, or

(D) performs technological services;

(10) the term ''technology cluster'' means a geographic concentration of—

(A) technology-related business concerns;

(B) institutions of higher education; or

(C) other nonprofit institutions

that reinforce each other's performance though formal or informal relationships;

(11) the term ''socially and economically disadvantaged small business concerns'' has the meaning given such term in section 8(a)(4) of the Small Business Act (15 U.S.C. 637(a)(4)); and

(12) the term ''NNSA'' means the National Nuclear Security Administration established by Title XXXII of National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65).

SEC. 31 3. TECHNOLOGY INFRASTRUCTURE PILOT PROGRAM.

(a) ESTABLISHMENT.—The Secretary, through the appropriate officials of the Department, shall establish a Technology Infrastructure Pilot Program in accordance with this section

(b) PURPOSE.—The purpose of the program shall be to improve the ability of National Laboratories or facilities to support departmental missions by—

(1) stimulating the development of technology clusters in the vicinity of National Laboratories or facilities;

(2) improving the ability of National Laboratories or facilities to leverage and benefit from commercial research, technology, products, processes, and services; and

(3) encouraging the exchange of scientific and technological expertise between National Laboratories or facilities and—

(A) institutions of higher education,

(B) technology-related business concerns,

(C) nonprofit institutions, and

(D) agencies of state, tribal, or local governments—

that are located in the vicinity of a National Laboratory or facility.

(c) PILOT PROGRAM.—In each of the first three fiscal years after the date of enactment of this section, the Secretary may provide up to $10,000,000, divided equally, among no more than ten National Laboratories or facilities selected by the Secretary to conduct Technology Infrastructure Program Pilot Programs.

(d) PROJECTS.—The Secretary shall authorize the Director of each National Laboratory or facility designated under subsection (c) to implement the Technology Infrastructure Pilot Program at such National Laboratory or facility through projects that meet the requirements of subsections (e) and (f).

(e) PROGRAM REQUIREMENTS.—Each project funded under this section shall meet the following requirements:

(1) MINIMUM PARTICIPANTS.—Each project shall at a minimum include—

(A) a National Laboratory or facility; and

(B) one of the following entities—

(i) a business,

(ii) an institution of higher education,

(iii) a nonprofit institution, or

(iv) an agency of a state, local, or tribal government.

(2) COST SHARING—

(A) MINIMUM AMOUNT.—Not less than 50 percent of the costs of each project funded under this section shall be provided from non-federal sources.

(B) QUALIFIED FUNDING AND RESOURCES.—

(i) The calculation of costs paid by the non-federal sources to a project shall include cash, personnel, services, equipment, and other resources expended on the project.

(ii) Independent research and development expenses of government contractors that qualify for reimbursement under section 31–205–18(e) of the Federal Acquisition Regulations issued pursuant to section 25(c)(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c)(1)) may be credited towards costs paid by non-federal sources to a project, if the expenses meet the other requirements of this section.

(iii) No funds or other resources expended either before the start of a project under this section or outside the project's scope of work shall be credited toward the costs paid by the non-federal sources to the project.

(3) COMPETITIVE SELECTION.—All projects where a party other than the Department or a National Laboratory or facility receives funding under this section shall, to the extent practicable, be competitively selected by the National Laboratory or facility using procedures determined to be appropriate by the Secretary or his designee.

(4) ACCOUNTING STANDARDS.—Any participant receiving funding under this section, other than a National Laboratory or facility, may use generally accepted accounting principles for maintaining accounts, books, and records relating to the project.

(5) LIMITATIONS.—No federal funds shall be made available under this section for—

(A) construction; or

(B) any project for more than five years.

(f) SELECTION CRITERIA.—

(1) THRESHOLD FUNDING CRITERIA.—The Secretary shall authorize the provision of federal funds for projects under this section only when the Director of the National Laboratory or facility managing such a project determines that the project is likely to improve the participating National Laboratory or facility's ability to achieve technical success in meeting departmental missions.

(2) ADDITIONAL CRITERIA.—The Secretary shall also require the Director of the National Laboratory or facility managing a project under this section to consider the following criteria in selecting a project to receive federal funds—

(A) the potential of the project to succeed, based on its technical merit, team members, management approach, resources, and project plan;

(B) the potential of the project to promote the development of a commercially sustainable technology cluster, one that will derive most of the demand for its products or services from the private sector, in the vicinity of the participating National Laboratory or facility;

(C) the potential of the project to promote the use of commercial research, technology, products, processes, and services by the participating National Laboratory or facility to achieve its departmental mission or the commercial development of technological innovations made at the participating National Laboratory or facility;

(D) the commitment shown by non-federal organizations to the project, based primarily on the nature and amount of the financial

and other resources they will risk on the project;

(E) the extent to which the project involves a wide variety and number of institutions of higher education, nonprofit institutions, and technology-related business concerns located in the vicinity of the participating National Laboratory or facility that will make substantive contributions to achieving the goals of the project;

(F) the extent of participation in the project by agencies of state, tribal, or local governments that will make substantive contributions to achieving the goals of the project;

(G) the extent to which the project focuses on promoting the development of technology-related business concerns that are small business concerns located in the vicinity of the National Laboratory or facility or involves such small business concerns substantively in the project.

(3) SAVINGS CLAUSE.—Nothing in this subsection shall limit the Secretary from requiring the consideration of other criteria, as appropriate, in determining whether projects should be funded under this section.

(g) REPORT TO CONGRESS ON FULL IMPLEMENTATION.—Not later than 120 days after the start of the third fiscal year after the date of enactment of this section, the Secretary shall report to Congress on whether the Technology Infrastructure Program should be continued beyond the pilot stage, and, if so how the fully implemented program should be managed. This report shall take into consideration the results of the pilot program to date and the views of the relevant Directors of the National laboratories and facilities. The report shall include any proposals for legislation considered necessary by the Secretary to fully implement the program.

SEC. 31 4. SMALL BUSINESS ADVOCACY AND ASSISTANCE.

(a) ADVOCACY FUNCTION.—The Secretary shall direct the Director of each National Laboratory, and may direct the Director of each facility the Secretary determines to be appropriate, to establish a small business advocacy function that is organizationally independent of the procurement function at the National Laboratory or facility. The person or office vested with the small business advocacy function shall—

(1) work to increase the participation of small business concerns, including socially and economically disadvantaged small business concerns, in procurements, collaborative research, technology licensing, and technology transfer activities conducted by the National Laboratory or facility;

(2) report to the Director of the National Laboratory or facility on the actual participation of small business concerns in procurements and collaborative research along with recommendations, if appropriate, on how to improve participation;

(3) make available to small business concerns training, mentoring, and clear, up-to-date information on how to participate in the procurements and collaborative research, including how to submit effective proposals;

(4) increase the awareness inside the National Laboratory or facility of the capabilities and opportunities presented by small business concerns; and

(5) establish guidelines for the program under subsection (b) and report on the effectiveness of such program to the Director of the National Laboratory or facility.

(b) ESTABLISHMENT OF SMALL BUSINESS ASSISTANCE PROGRAM.—The Secretary shall direct the Director of each National Laboratory, and may direct the Director of each facility the Secretary determines to be appropriate, to establish a program to provide small business concerns—

(1) assistance directed at making them more effective and efficient subcontractors or suppliers to the National Laboratory or facility; or

(2) general technical assistance, the cost of which shall not exceed $10,000 per instance of assistance, to improve the small business concern's products or services.

(c) USE OF FUNDS.—None of the funds expended under subsection (b) may be used for direct grants to the small business concerns.

SEC. 31 5. TECHNOLOGY PARTNERSHIPS OMBUDSMAN.

(a) APPOINTMENT OF OMBUDSMAN.—The Secretary shall direct the Director of each National Laboratory, and may direct the Director of each facility the Secretary determines to be appropriate, to appoint a technology partnership ombudsman to hear and help resolve complaints from outside organizations regarding each laboratory's policies and actions with respect to technology partnerships (including cooperative research and development agreement), patents, and technology licensing. Each ombudsman shall—

(1) be a senior official of the National Laboratory or facility who is not involved in day-to-day technology partnerships, patents, or technology licensing, or, if appointed from outside the laboratory, function as such a senior official; and

(2) have direct access to the Director of the National Laboratory or facility.

(b) DUTIES.—Each ombudsman shall—

(1) serve as the focal point for assisting the public and industry in resolving complaints and disputes with the laboratory regarding technology partnerships, patents, and technology licensing;

(2) promote the use of collaborative alternative dispute resolution techniques such as mediation to facilitate the speedy and low-cost resolution of complaints and disputes, when appropriate; and

(3) report, through the Director of the National Laboratory or facility, to the Department annually on the number and nature of complaints and disputes raised, along with the ombudsman's assessment of their resolution, consistent with the protection of confidential and sensitive information.

(c) DUAL APPOINTMENT.—A person vested with the small business advocacy function of section 31 4 may also serve as the technology partnership ombudsman.

SEC. 31 6. STUDIES RELATED TO IMPROVING MISSION EFFECTIVENESS, PARTNERSHIPS, AND TECHNOLOGY TRANSFER AT NATIONAL LABORATORIES.

(a) STUDIES.—The Secretary shall direct the Laboratory Operations Board to study and report to him, not later than one year after the date of enactment of this section, on the following topics:

(1) the possible benefits from and need for policies and procedures to facilitate the transfer of scientific, technical, and professional personnel among National Laboratories and facilities; and;

(2) the possible benefits from and need for changes in—

(A) the indemnification requirements for patents or other intellectual property licensed from a National Laboratory or facility;

(B) the royalty and fee schedules and types of compensation that may be used for patents or other intellectual property licensed to a small business concern from a National Laboratory or facility;

(C) the licensing procedures and requirements for patents and other intellectual property, including allowing a preference for a small business concern started by a former employee of a National Laboratory or facility who invented the patented technology or other intellectual property;

(D) the rights given to a small business concern that has licensed a patent or other intellectual property from a National Laboratory or facility to bring suit against third parties infringing such intellectual property;

(E) the advance funding requirements for a small business concern funding a project at a National Laboratory or facility through a Funds-In-Agreement;

(F) the intellectual property rights allocated to a business when it is funding a project at a National Laboratory or facility through a Funds-In-Agreement; and

(G) policies on royalty payments to inventors employed by a contractor-operated National Laboratory or facility, including those for inventions made under a Funds-In-Agreement.

(b) DEFINITION.—For the purposes of this section, the term ''Funds-In-Agreement'' means a contract between the Department and a non-federal organization where that organization pays the Department to provide a service or material not otherwise available in the domestic private sector.

(c) REPORT TO CONGRESS.—Not later than one month after receiving the report under subsection (a), the Secretary shall transmit the report, along with his recommendations for action and proposals for legislation to implement the recommendations, to Congress.

SEC. 31 7. OTHER TRANSACTIONS AUTHORITY.

(a) NEW AUTHORITY.—Section 646 of the Department of Energy Organization Act (42 U.S.C. 7256) is amended by adding at the end the following new subsection:

''(g) OTHER TRANSACTIONS AUTHORITY.—(1) In addition to other authorities granted to the Secretary to enter into procurement contracts, leases, cooperative agreements, grants, and other similar arrangements, the Secretary may enter into other transactions with public agencies, private organizations, or persons on such terms as the Secretary may deem appropriate in furtherance of basic, applied, and advanced research functions now or hereafter vested in the Secretary. Such other transactions shall not be subject to the provisions of section 9 of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5908).

''(2)(A) The Secretary of Energy shall ensure that—

''(i) to the maximum extent practicable, no transaction entered into under paragraph (1) provides for research that duplicates research being conducted under existing programs carried out by the Department of Energy; and

''(ii) to the extent that the Secretary determines practicable, the funds provided by the Government under a transaction authorized by paragraph (1) do not exceed the total amount provided by other parties to the transaction.

''(B) A transaction authorized by paragraph (1) may be used for a research project when the use of a standard contract, grant, or cooperative agreement for such project is not feasible or appropriate.

''(3)(A) The Secretary shall not disclose any trade secret or commercial or financial information submitted by a non-federal entity under paragraph (1) that is privileged and confidential.

''(B) The Secretary shall not disclose, for five years after the date the information is received, any other information submitted by a non-federal entity under paragraph (1), including any proposal, proposal abstract, document supporting a proposal, business plan, or technical information that is privileged and confidential.

''(C) The Secretary may protect from disclosure, for up to five years, any information developed pursuant to a transaction under paragraph (1) that would be protected from disclosure under section 552(b)(4) of title 5,

United States Code, if obtained from a person other than a federal agency.''.

(b) IMPLEMENTATION.—Not later than six months after the date of enactment of this section, the Department shall establish guidelines for the use of other transactions. Other transactions shall be made available, if needed, in order to implement projects funded under section 31 3.

SEC. 31 8. CONFORMANCE WITH NNSA ORGANIZATIONAL STRUCTURE.

All actions taken by the Secretary in carrying out this subtitle with respect to National Laboratories and facilities that are part of the NNSA shall be through the Administrator for Nuclear Security in accordance with the requirements of Title XXXII of National Defense Authorization Act for Fiscal Year 2000.

SEC. 31 9. ARCTIC ENERGY.

(a) ESTABLISHMENT.—There is hereby established within the Department of Energy an Office of Arctic Energy. The Director of the Office shall report to the Secretary of Energy.

(b) PURPOSE.—The purposes of the Office of Arctic Energy are—

(1) to promote research, development and deployment of electric power technology that is cost-effective and especially well suited to meet the needs of rural and remote regions of the United States, especially where permafrost is present or located nearby; and

(2) to promote research, development and deployment in such regions of—

(A) enhanced oil recovery technology, including heavy oil recovery, reinjection of carbon and extended reach drilling technologies;

(B) gas-to-liquids technology and liquefied natural gas (including associated transportation systems);

(C) small hydroelectric facilities, river turbines and tidal power;

(D) natural gas hydrates, coal bed methane, and shallow bed natural gas; and

(E) alternative energy, including wind, geothermal, and fuel cells.

(c) LOCATION.—The Secretary shall locate the Office of Arctic Energy at a university with special expertise and unique experience in the matters specified in paragraphs 1 and 2 of subsection b.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out activities under this section—

(1) $1,000,000 for the first fiscal year after the date of enactment of this section; and

(2) such sums as may be necessary for each fiscal year thereafter.

AUTHORITY FOR COMMITTEES TO MEET

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LOTT. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations be authorized to meet during the session of the Senate on Friday, June 30, 2000, 9:30 a.m., for a hearing entitled ''HUD's Government Insured Mortgages: The Problem of Property 'Flipping.' ''

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2832—REAUTHORIZING THE MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT

On June 29, 2000, Ms. SNOWE introduced S. 2832. The text of the bill follows:

S. 2832

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Magnuson-Stevens Reauthorization Act of 2000''.

TITLE I—REAUTHORIZATION AND REVISION

SEC. 101. AMENDMENT OF THE MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

SEC. 102. AUTHORIZATION OF APPROPRIATIONS.

Section 4 (16 U.S.C. 1803) is amended by striking paragraphs (1) through (4) and inserting the following:

''(1) $400,000,000 for fiscal year 2000;
''(2) $415,000,000 for fiscal year 2001;
''(3) $430,000,000 for fiscal year 2002;
''(4) $445,000,000 for fiscal year 2003;
''(5) $460,000,000 for fiscal year 2004; and
''(6) $475,000,000 for fiscal year 2005.''.

SEC. 103. POLICY.

Section 2(c) (16 U.S.C. 1081(c)) is amended—

(1) by striking ''and'' after the semicolon in paragraph (6);

(2) by striking ''States.'' in paragraph (7) and inserting ''States; and; and

(3) by adding at the end thereof the following:

''(8) to use the best scientific information available when making fisheries management and conservation decisions, meaning information that is collected and analyzed by a process that, to the extent practicable—

''(A) is directly related to the specific issue under consideration;

''(B) is based on a statistically sufficient sample such that any conclusions drawn are reasonably supported;

''(C) has been independently peer-reviewed;

''(D) has been collected within a time frame that is reasonably related to the specific issue under consideration; and

''(E) incorporates a broad base of available sources.''.

SEC. 104. DEFINITIONS; NEW TERMS.

(a) NEW TERMS.—Section 3 (16 U.S.C. 1802) is amended as follows:

(1) HABITAT AREA OF PARTICULAR CONCERN.—After paragraph (18), insert the following:

''( ) The term 'habitat area of particular concern' means those waters and submerged substrate that form a discrete vulnerable subunit of essential fish habitat that is required for a stock to sustain itself and which is designated through a specified set of national criteria which includes, at a minimum, a requirement that designation be based on the best scientific information available regarding habitat-specific density of that fish stock, growth, reproduction, and survival rates of that stock within the designated area.''.

(2) MAXIMUM SUSTAINABLE YIELD.—After paragraph (23), insert the following:

''( ) The term 'maximum sustainable yield' means the largest long-term average catch or yield in terms of weight of fish caught for commercial and recreational purposes that can be continuously taken from a stock under existing environmental conditions, and which is adjusted as environmental conditions change.''.

(b) NUMERATION AND REDESIGNATION.—Section 3 (16 U.S.C. 1802), as amended by subsection (a), is amended—

(1) by moving paragraph (35) to follow paragraph (36); and

(2) by renumbering all paragraphs in numerical order from (1) through (47).

(c) REFERENCES IN OTHER LAW.—Whenever any other provision of law refers to a term defined in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802) by its paragraph number and that paragraph was renumbered by subsection (b) of this section, the reference shall be considered to be a reference to the paragraph number given that paragraph under subsection (b) or subsequent amendment of that Act.

SEC. 105. ADVISORY COMMITTEE REFORM AND PEER REVIEW.

(a) REFORM.—Section 302(g) (16 U.S.C. 1852(g)) is amended—

(1) by adding at the end of paragraph (3) the following:

''(C) For each committee established under subparagraph (A), each Council shall establish standard operating procedures relating to time, place, and frequency of meetings, a description of the type and format of information to be provided under subparagraph (A), a description of how recommendations under subparagraph (A) will be used, and other relevant factors.'';

(2) by redesignating paragraph (5) as paragraph (6); and

(3) by inserting after paragraph (4) the following:

''(5) Each Council shall establish standard operating procedures relating to the relevant scientific review committee or committees that are responsible for conducting peer reviews of all stock assessments and economic and social analyses prepared for fisheries under the Council's jurisdiction. Committees under this paragraph shall consist of members from the committee established under paragraph (1) of this subsection and, to the extent practicable, independent scientists qualified to peer review such assessments and analyses.''.

(b) PEER REVIEW.—Section 302(h) (16 U.S.C. 1852(h)) is amended—

(1) by striking ''and'' at the end of paragraph (5);

(2) by redesignating paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following:

''(6) to the extent practicable conduct a peer review of any stock assessments and economic and social analyses prepared for a fishery under its jurisdiction, utilizing the procedures established under subsection (g)(5); and''.

SEC. 106. OVERFISHING AND REBUILDING.

(a) REBUILDING OVERFISHED FISHERIES.—Section 304(e) (16 U.S.C. 1854(e)) is amended—

(1) by striking ''(1) The Secretary'' in paragraph (1) and inserting ''(1)(A) The Secretary'';

(2) by inserting after ''overfished.'' the following:

''The Secretary shall also identify which fisheries are managed under a fishery management plan or international agreement, and the estimated percentage of the total volume of all species in United States waters that are manged under a fishery management plan or international agreement.''

(3) by striking the last sentence of paragraph (1) and inserting the following: ''A fishery shall be classified as approaching a condition of being overfished if, based on the best scientific information available trends in fishing effort and fishery resource size and other appropriate factors, the Secretary estimates that the fishery will become overfished within 2 years.'';

(4) by adding at the end of paragraph (1) the following: